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5/-

Is Clay Shaw guilty?

THE GARRISON ENQUIRY

TRUTH and CONSEQUENCES

JOACHIM JOESTEN

Author of
Oswald: the Truth
Marina Oswald

**THE FACTS
THAT THE
NEWSPAPERS
REFUSED
TO PRINT**



A REAL LIFE THRILLER!

THE GARRISON ENQUIRY



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ENQUIRY

Truth & Consequences

JOACHIM JOESTEN



Published by
PETER DAWNAY LTD
in association with
TANDEM BOOKS LTD

*First published by Peter Dawnay, Ltd.,
in association with Universal-Tandem
Publishing Co. Ltd., 1967*

First published October 1967

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*Printed in England
by Hills and Lacy Limited, London*

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Foreword

The eyes of the world are focused on New Orleans where the curtain is about to rise on one of the strangest of judicial dramas ever enacted: The trial of Clay Shaw for 'conspiracy to kill President John F. Kennedy.'

President Kennedy has been dead for four years. So has been his alleged murderer, Lee Harvey Oswald. The Warren Commission, three years ago, closed the books on The Crime of the Century. The whole world accepted its solemn verdict that the President's life had been taken by a lone, deranged assassin; that there had been no conspiracy.

And now a previously little-known elderly man, Clay Shaw, a respected citizen of New Orleans, is about to stand trial for a conspiracy which, according to the District Attorney, Jim Garrison, set in motion events that culminated in the assassination.

If the jury finds Shaw guilty, the Warren Report, already buried under an avalanche of adverse criticism, will be as dead as a door-nail. Its twenty-six volumes and supporting materials, covering 100 cubic feet in the National Archives in Washington, won't be worth the paper they're printed on.

But even if Shaw is acquitted, that won't be the end of the story. Garrison conceivably may have picked the wrong target in his first major assault on the official version of the assassination. In any event it is certain that he has opened Pandora's box. Other arrests and indictments are sure to follow, regardless of the fate of Clay Shaw. The battle for the truth about the assassination, now in full swing, will go on for a long time.

If past experience is a valid indication, the news media will cover the Shaw trial in a big way, but not well. They may be expected to twist the facts and to slant the news,

as they have done before. Powerful forces in Washington are determined to prevent the truth from coming out at all cost and the press, which isn't nearly as free from official pressure as it pretends to be, seconds this effort almost down to a man.

That's why it is important that the discerning reader should be given an opportunity to see also the other side of the picture and to judge for himself what's right or wrong.

'*Qui n'entend qu'une cloche, n'entend qu'un son,*' says an old French proverb—He who listens only to one bell, hears only one sound.

The bells of our time, i.e. the newspapers and magazines, the radio and television, have been ringing out only one sound about the assassination. They have consistently proclaimed Oswald's guilt, deprecated any thought of conspiracy, defended the Warren Report, assailed its critics, and they are now engaged in a massive effort to discredit the Garrison enquiry.

Practically the only way dissenters have been able to make their voices heard has been through books. No wonder there have been so many on the subject.

The Garrison Enquiry is my seventh book-length work on what I have called, from the first day, The Kennedy Murder Fraud. It isn't going to be my last, I hope. As long as there is any breath in me, I shall continue to write about this absorbing theme.

For, as Garrison has said, 'The murderers of one of the finest presidents we ever had are walking around today. Not to do anything about it is un-American.'

As an American citizen, I deeply feel that my paramount duty lies with the cause of truth and justice, not in currying favour with the powers-that-be. That's why this book just had to be written.

JOACHIM JOESTEN

September 1967

Chapter 1

Heresy in New Orleans

It all began quite casually.

Rosemary James, a pert, snub-nosed reporter for the New Orleans *States-Item* (the local evening newspaper), was at the courthouse, making a routine check of public expenditures among the vouchers officials must file there under Louisiana law, when the startling news leapt up at her.

District Attorney Jim Garrison, she found, had been incurring exceptionally heavy expenses of late. In a couple of months, he had spent at least \$8,000 for the purpose of sending out investigative teams to many cities around the nation, including Texas, Florida and California—where Louisiana prosecutors do not normally poke their noses. Something big, then, must be up, Rosemary realised.

And then, as she kept turning over the vouchers, the extraordinary nature of the case for which all that money had been spent hit her right between the eyes. What the District Attorney was investigating was a conspiracy to kill no less a person than President John F. Kennedy.

Rosemary's first reaction was typical of all those that were to follow, not only in the United States, but throughout the world. She just shook her head, staring in utter disbelief at the papers before her.

She must be dreaming, she thought, for such a thing couldn't be true. Why should the New Orleans District Attorney start an investigation of a national tragedy on which the books had been closed long since? Hadn't the Warren Commission settled the matter, once and for all, two and a half years ago? Didn't their Report state specifically that there had been no conspiracy, that the violent death of the President was due solely to the

sudden murderous impulse of a deranged young man? Who was Jim Garrison to call in doubt the unanimous verdict of seven sages presided over by the Chief Justice of the United States?

True, there had been some manifestations of scepticism lately, mostly abroad. The subject didn't exactly come within the ordinary sphere of interest of Rosemary James, but of course she had heard that assailing the Warren Report had become something of a fad and that a lot of money was being made by irresponsible rumour-mongers bent on exploiting the President's death. Ghouls and scavengers—phew! Fellows who weren't ashamed to ride high on a shroud. People who couldn't be taken seriously.

But Jim Garrison—a district attorney? You couldn't dismiss *him* with a shrug. He was no amateur sleuth. Investigating was his business. And he was much too smart a man, Rosemary knew, to spend \$8,000 worth of public funds on a harebrained scheme or a wild goose chase.

Whether or not all these thoughts crossed Rosemary's pretty little head, as she sat there poring over those incredible vouchers, she was good enough a reporter instantly to know a scoop when she saw one. And so were the editors of the *States-Item* who rushed the story into print and gave it a big play. That was on February 17, 1967.

The first impact of the *States-Item's* disclosures was rather inconsequential. Jim Garrison had a reputation in New Orleans for occasionally eccentric behaviour and he was virtually unknown outside of his home state. So the press agencies didn't immediately bother to pick up the story and give it nation-wide distribution.

Within a day, however, things changed. No sooner had the first news of the Garrison investigation come out than a man named David William Ferrie phoned the *States-Item* to volunteer additional information. The editors immediately perked up, for Dave Ferrie was something of a local character. He had made news

before, mostly scandalous, and was known in the local press as 'good copy'. So a team of reporters was promptly sent out to interview Ferrie at his small apartment on 3330 Louisiana Avenue Parkway.

They found a man hard to believe even for a couple of tough newsmen familiar with all the strange goings-on in a big city.

The first thing about Ferrie that invited disbelief was his nightmarish appearance. A gaunt, beaky-nosed man of forty-eight, he had lost every hair on his head, allegedly in an explosion (though it had left no other mark on his face). To make up for his glaring baldness, he wore a crimson-coloured wig that 'looked as if it had been hacked out of a moth-eaten carpet' (*Los Angeles Times*), false, glued-on eyebrows and mascaraed false eyelashes.

Just as weird as his looks, were Ferrie's background and style of life. As a young man, he had studied for the Roman Catholic priesthood but had been eased out when his homosexual leanings were discovered by his superiors. Fanatically religious, Ferrie had then turned to a little-known sect which calls itself the 'Orthodox Old Catholic Church of North America' and he had even been known to parade occasionally in priestly vestments.

An excellent flyer, Ferrie had been, in the 'fifties, an organiser of 'Civil Air Patrol' units and later he had become a pilot for Eastern Airlines. In March 1963 he was discharged by this company after his name had turned up on a list of sexual deviates picked up by the New Orleans police.

He was also a 'psychologist', who sported a 'degree' from one of those diploma mills that abound in America, especially in the South, and he practised hypnotism, in particular within the circle of devoted young friends he used to surround himself with.

Ferrie was also an inventor of sorts, but the wild schemes he would hatch on occasion usually misfired. Once he filled his apartment with mice, it is reported,

in hopes of finding a cure for cancer. In his spare time, so another story goes, he laboured on a miniature submarine model he was trying to fashion out of an airplane fuel tank.

His dirty apartment was cluttered with rosary beads, books (many of them about the assassination of President Kennedy), unwashed coffee cups, littered ashtrays, cigarette butts and an amazing variety of bottles of every size and shape, filled with pills and tinctures.

Only a handful of his acquaintances were aware that David Ferrie was also active as a private detective who counted among his clients none less than Carlos Marcello, the powerful Mafia chieftain who rules the underworld of the southern states with an iron hand and who ranks near the top of the mobocracy in the United States.

And only a few of his real intimates knew that all this was but an elaborate smokescreen behind which David Ferrie cleverly concealed the fact that he was a full-time agent of the Central Intelligence Agency whose primary function was to recruit, train and equip Cuban exiles for commando raids against Castro's regime, in which he occasionally participated.

Even the editors of the *States-Item* were unaware of this key element in the restless existence of the man who had volunteered to give them additional information about the newly publicised Garrison probe. In this interview, which the paper published the following day, Ferrie stated that he had been the first target of the new investigation and bitterly complained about alleged harassment by Garrison's men. He called the investigation 'a big joke' and said, 'Supposedly I have been pegged as a getaway pilot.'

On the same day that it carried the Ferrie interview, the *States-Item* ran an editorial questioning the validity of the Garrison enterprise. 'Has the District Attorney discovered valuable additional evidence,' the editorial scathingly asked, 'or is he merely saving some interesting

new information that will gain for him exposure in a national magazine? Mr. Garrison, it seems, should have some explanation.'

Garrison quickly responded to the challenge. At a press conference held in the late afternoon of February 18, he stressed that he was conducting a serious investigation which, he complained, had been hampered by the premature disclosure in the *States-Item*. He declared that a band of conspirators had developed a plan in New Orleans that culminated in the assassination at Dallas, on November 22, 1963.

'We already have the names of the people in the initial planning,' Garrison declared. 'We are not wasting our time and we will prove it. Arrests will be made, charges will be filed and convictions will be obtained.'

In response to a question how he got started on this investigation, Garrison replied that he had been intrigued by the length of Oswald's stay in New Orleans—from April 25 to September 22, 1963—in the period preceding the assassination. He said that in order to learn more about Oswald's stay in New Orleans, he 'went through the twenty-six volumes of the Warren Report and there were some questions raised. As a result, I began the investigation. The investigation led to new leads, which we followed out, and other leads were uncovered.'

Asked how he felt about the Warren Commission, Garrison said it had certainly been composed of 'able' men, but 'did not have sufficient evaluation machinery.' He was satisfied, he said, that he had enough facts in the case to prove the Commission erred in its conclusion that Lee Harvey Oswald acted alone in killing Kennedy.

He also took a poke at the best-selling writer of the hour, William Manchester, who in his book *The Death of a President* arrived at the same conclusions as the Warren Commission.

'Manchester wasn't there at the assassination,' Garrison declared, 'neither was I. But my office has spent

considerably more time investigating the assassination than Manchester did and it is my belief that the man was wrong.'

Garrison's statement was quickly circulated around the world by the Associated Press and United Press International and produced an electrifying effect. In the words of James Phelan of the *Saturday Evening Post* (May 6, 1967):

'On the morning of February 20, a deluge of frantic incoming calls lighted up the telephone switchboard in the outer office of the district attorney of New Orleans, and for the next month it blazed like a pinball machine gone mad. Day after day, calls poured in from across the U.S., from London, Rome, Paris, Berlin, from South America, Mexico, Japan. At times the trunk lines jammed completely. One Moscow journalist made six transatlantic calls without ever reaching Garrison himself. "I dialled twenty-three times before I got the switchboard girl," said another newsman. "She said, 'one moment, please,' and that was the last I heard of her."'

While newsmen, radiocasters, television crews from all over the world crowded his office, Garrison dropped out of sight as suddenly as he had been catapulted into the limelight. For a day or two he could not be found either in his office or at his home and no one would say where he could be reached. There were even fears for his safety, but they proved groundless. Almost literally swamped by the sudden onrush of publicity, Garrison had simply gone into hiding for a breather—and to brace himself for the onslaught from Washington that was not long in coming.

As early as February 20, *The New York Herald Tribune* (Paris) reported:

'An inside source at the Federal Bureau of Investigation said there is not an iota of truth in Mr. Garrison's statement. This source said that before Lee Harvey Oswald was shot he told the FBI about meetings in New Orleans, but that this was checked out and nothing was found to substantiate charges of a conspiracy. He said

the present investigation was simply to further Mr. Garrison's political career.'

The 'inside source' quoted here was in all probability the Director, J. Edgar Hoover, himself. No lower-placed official would have ventured to come out with such a pat statement in a matter of such importance. Besides, this is the unmistakable Hoover style.

How could Mr. Hoover—or any of his subordinates for that matter—have been so sure a few hours after the Garrison investigation had been made public—for that statement was made on February 19—that there was 'not an iota of truth' in Mr. Garrison's disclosures? It was, to say the least, an unusual piece of comment by the top federal law enforcement officer on the official conduct of a district attorney acting within his own jurisdiction.

As to the suggestion that the New Orleans investigation was simply designed to further Mr. Garrison's political career, it is simply beneath contempt. How could any elective officer, least of all a district attorney, hope to further his career by a case made out of thin air ('not an iota of truth in it') which he would have to place before an independent judge and jury at the inescapable certainty of acquittal?

Yet this is the watchword that not only the FBI but every government official in Washington concerned with the case has been handing out to the press since the start of the Garrison enquiry and in spite of its obvious stupidity it has cropped up again and again in thousands of news dispatches, news stories and editorials published both in America and throughout the world.

Even as the news of the Garrison enquiry spread about, President Lyndon B. Johnson, with his unique flair for putting the right man in the right spot at the right time, appointed Ramsey Clark, a native of Dallas, Texas, and a man still with strong roots in that 'murder capital of the world' (Melvin Bélli), Attorney General of the United States, at the ripe old age of thirty-nine.

The young man lost no time bewailing the New

Orleans investigation in tones of righteous indignation ('I find it curious and I find it disturbing and I find it saddening'). He solemnly affirmed his unshakeable faith in the Warren Report and in the sole guilt of Lee Harvey Oswald, without even bothering to look at the case District Attorney Garrison had been building. And on top of it all, he instructed the Federal Bureau of Investigation not to give Garrison an iota of co-operation—a policy the FBI has strictly adhered to ever since, even at the risk of overt contempt of court. As a matter of fact, the FBI proved not only unco-operative, but openly hostile and, in its eagerness to play into the hands of Garrison's enemies, it went so far as to tap the wires of the District Attorney's office, contrary to the law and elementary decency.

When Congressman Gerald Ford, a member of the Warren Commission, suggested on February 20 that Garrison should give any information he might have to the United States Attorney General to pass on to President Johnson, Garrison gave the only possible reply under the circumstances :

'I am running this investigation, not the President, not the Attorney General,' he said. 'We are investigating a conspiracy which appeared to have occurred in New Orleans, and they don't have a thing in the world to do with it. Now, if they want to help me, I'll welcome their help. But I'm not reporting to anybody.'

Garrison also contended that his investigation would be slowed down if federal officers became involved. He knew what he was talking about, for the FBI (as I have amply demonstrated in *Oswald: The Truth* and my other books on the subject) has never exhibited the slightest interest in tracing real murderers of President Kennedy. It has, on the contrary, consistently used all its tremendous power of pressure and dissuasion to bully witnesses into making statements that would conform to the Oswald Hoax and to prevent them from making disclosures that might lead honest investigators in a different direction.

As state and city governments in the U.S. have full authority to investigate crimes in their own areas without the participation of federal authorities—unless, of course, violation of federal law is involved—there was nothing Washington could do, except to mount a massive campaign to discredit and vilify the courageous district attorney. This campaign got under way (and it is still going crescendo) from the very outset of the Garrison investigation. Many examples of this relentless pressure through the news media will be given in the following chapters.

But first, let us have a close look at the extraordinary personality and career of the man who dared to seek the truth where a whole nation had abjectly surrendered to the superior forces of The Big Lie. The man who has made one of the noblest statements to come out of America in a long, long time :

“The people who engineered the killing of one of the finest Presidents we ever had are walking around today, Not to do anything about it is un-American.”

Chapter 2

Meet the 'Jolly Green Giant'

There is something inherently paradoxical about Jim Garrison's crusade for the truth. Indeed, who among the critics of the patently fraudulent official version of the Kennedy assassination would ever have dreamed that the first beam of light would come from the Deep South? Louisiana may not be the most obscurantist of the Southern States (that honour goes to Mississippi, followed by Alabama), but it has certainly never earned any laurels for daring progressivism. It is one of the principal strongholds of the Ku-Klux-Klan, among other militantly 'conservative' organisations.

Now, however, it is all but certain that Louisiana will earn a place of honour in history, thanks to Jim Garrison. It will have shamed New York and Massachusetts, Pennsylvania and California and all the other states that pride themselves on their enlightenment yet choose to close their eyes to the most transparent travesty of justice in modern times, the Kennedy Murder Fraud.

True, Jim Garrison is not, properly speaking, a Southerner. He hails from the Middle West, for he was born, on November 20, 1921, in Dennison, Iowa. After serving with distinction in World War II as a fighter pilot, he enrolled at Tulane University in New Orleans and stayed on after graduation. He practised law for some years and then, in 1950, joined the Federal Bureau of Investigation. This fact is important for it runs counter to the oft-heard argument that Garrison must be 'anti-federalist' because he opposes Washington on the Kennedy Murder issue. Nothing could be further from the truth. It is not a contest between States Righters and the central government, but one between advocates of official lying and a seeker of the truth.

After another stint of military service in the Korean

war, Garrison returned to New Orleans where he served first as an assistant district attorney and then as an assistant city attorney. He never made much of a splash in those years but lived quietly with his attractive wife and three children in a modest cottage on the outskirts of New Orleans.

It was not until 1960 that Garrison made his first bid for elective office. Having failed to gain election as judge, he worked for the City for another year until he fell out with Mayor Victor Hugo Schiro in 1961. He resigned with fanfare, blasting the Mayor in the local press for laxity in law enforcement. Then he turned on the District Attorney, Richard Dowling, whom he mockingly called 'The Great Emancipator' because he 'lets everybody go free.' He launched himself into the race against Dowling as a reform candidate and won hands down, thanks largely to his dynamic personality, his outspokenness and his photogenic family, always a big asset in any electoral contest. Another contributing cause to his victory was the skilful use he made of his modest campaign funds which he hoarded to the last minute to throw them all into a massed television campaign immediately before the election.

His first four years in office were stormy, for the reformer's lot is not a happy one in a traditionally easy-going and fun-loving city like New Orleans. Garrison was determined to clean up the nationally notorious Bourbon Street with its rows of garishly lit honky-tonks and its manifold tourist traps including a teeming 'B-girl' population and a more than ordinary share of hangouts for sexual deviates.

Organised vice, of course, cannot flourish anywhere without police protection and so Garrison soon found himself embroiled in a running fight with police authorities and eventually even with the criminal judiciary of the city. There were charges of laxity and bribery, followed by the usual countercharges against the way the District Attorney was handling investigations.

In his most serious clash with the powers-that-be,

Garrison waded head-on into a group of eight Criminal Court judges whom he accused of submitting to the influence of racketeers and of spending an undue amount of time on holidays. The judges banded together to bring suit against him for defamation of character and Garrison was fined \$1,000 in the State court. On appeal, however, Garrison won with the contention that he had not exceeded his right of free speech and that judges, like other public officials, were not exempt from criticism of their official conduct. During the hearings, Garrison reportedly followed proceedings with a bored mien, doodling and taking notes for a courtroom farce he intended to write. 'Too bad I'm not Shakespeare,' he sighed, or so the story goes.

When Garrison came up for re-election in 1965, he was opposed by Malcolm V. O'Hara, one of the Criminal Court judges he had battled.¹ Although local lawyers had been laying odds in favour of O'Hara, he was easily defeated by the incumbent by a margin of nearly two to one.

In the first year of his second term, Garrison got into a fight with Aaron Kohn, executive director of the Metropolitan Crime Commission, a non-governmental organisation financed by private contributions. The issue at stake was a shapely striptease dancer named Linda Birgette ('The Cupid Doll') who had been convicted for erotic dancing and sentenced to thirty days in jail. Garrison, who once had come to know the girl in the line of his official duties, felt sorry for her and obtained a pardon for her from his good friend, Governor John McKeithen.

There ensued a homeric row between Kohn and Garrison, the bad feelings then engendered lasting to this day. The MCC thought it inconsistent that a district attorney who had made a reputation as a vice-buster should intercede in favour of a stripper and declared in a published statement that Linda's pardon would

1. The reader should remember O'Hara's name. He will come across it again.

encourage organised crime in New Orleans. Angered, Garrison replied that he was tired of having the MCC blacken the city's reputation by constantly saying that it was in the grip of organised crime and he challenged Kohn to come forward and 'put up or shut up' before a grand jury. No indictments were handed down by the grand jury on the basis of the Kohn material about alleged Mafia activities in the city.

Oddly enough, this legal feud over a stripper's belly-wiggling was also to affect Garrison's Kennedy Murder probe in which Aaron Kohn and the MCC promptly took up cudgels against the district attorney. More about this later.

To his enemies, who are legion and growing more numerous by the day as the assassination enquiry proceeds and grows in scope and significance, the towering (height, 6 ft. 6 in.; weight, 240 lb.) Jim Garrison appears over-ambitious, ruthless, pugnacious and beset with a Napoleonic complex. They point with malicious pleasure to an article written by a Garrison intimate, David Chandler, which appeared in a local magazine called *New Orleans* in November 1966—at a time the district attorney had just launched his undercover probe of the Kennedy murder.

'I asked why there had not been any crime-fighting crusades in the past year,' Chandler wrote. "'Why bother?'" he replied. "I cleaned up Bourbon Street and I didn't get any credit. I never get any credit."

'I said this was untrue and maybe he was a bit paranoiac about it. He livened up. "Paranoiac! Paranoiac!" He picked up the phone and told . . . chief assistant Charles Ward to come in. "Chandler says I'm paranoiac because I say I don't get any credit. Do I get any credit? Am I paranoiac?"

'Charlie said I was wrong. Pleased, Garrison went on, "Another reason we don't have fights any more is we've beaten the people trying to stop justice in New Orleans!"'

This story is generally taken to show that Garrison

does have paranoiac leanings and therefore cannot be trusted. Actually, however, he is obsessed far more with concern for justice than with his own fortunes as the last paragraph of the above quotation clearly shows.

Little did Chandler suspect that the subject of his study at the very moment he proclaimed that all the enemies of justice in the city had been beaten was getting set to tackle the biggest injustice perpetrated in America in our time—the framing of Lee Harvey Oswald for the assassination of President Kennedy.

Garrison's friends and admirers, who are also many, are impressed with his massive frame, his high brow and intelligent (if a little bulging) eyes, his education and charm and his evident sincerity and courage. He is truly an 'incorruptible'—a rare phenomenon in present-day America.

In breeding, erudition and sophistication, Garrison towers head and shoulders above the average American lawman. He is an avid reader with a penchant for the classics and a fondness for pungent or sibylline quotes. Frequently he sits up all night reading books and articles which now that he is engaged on the greatest adventure of his life more often than not have some bearing on the assassination.

Garrison is also an enthusiastic and experienced chess-player, a leaning often to be found among the best sleuths, official or private. He himself has credited his penchant for chess with having played an important part in his Kennedy Murder probe as when he told James Phelan of the *Saturday Evening Post*: 'What it took to solve this puzzle was imagination and evaluation. It was like a chess game—and I once played an expert eight hours to a draw.'

The initiative towards solving the most baffling mystery of our time did not, however, originate with Garrison himself. He has confided to a number of newsmen that the initial impulse came from his old friend, Senator Russell Long of Louisiana. In October, 1966, Garrison and Long flew together from New Orleans to

New York. During the long plane trip, their conversation turned, among other things, to the Warren Report. Senator Long asked his friend whether he had read the Report. Garrison replied that he had not yet gotten around to it.

'You should read it,' Long said, pointing out that Oswald's long stay in New Orleans, in the period immediately preceding the assassination, might have had a significance which the Commission failed to grasp. So, after his return home, Garrison read the Warren Report and then went on to examine the far more revealing twenty-six volumes of testimony and exhibits. It did not take the experienced investigator with the chess player's mind too long to find out that there was something basically wrong with the Commission's 'findings'.

Garrison says of this epoch-making flight with Senator Long: 'Up to that time I had assumed that the FBI had done a competent job, but I found that Long had some doubts about the solution to the Kennedy killing. He is a knowledgeable Washington figure, so I began to have some second thoughts!'

Senator Long, for his part, has been the only prominent politician to back Jim Garrison. In a cautiously worded statement, issued in Washington on February 21, Long said that District Attorney Garrison 'has something' that the Warren Commission failed to uncover about the assassination. He added that Garrison, shortly after Kennedy had been killed, had arrested a person he thought to be involved. The Senator didn't name the person in question, but the record shows that it was David Ferrie.

'But when the press came out and said there was no one connected with Oswald, Garrison let the person go,' Senator Long added.

Here, the Senator is wrong, of course. The press has no power to obtain the release of any prisoner. It was not the press, but the FBI and the Secret Service that were instrumental in forcing the release of David Ferrie from

custody in New Orleans (as will be further explained in the following chapter).

The only other overt support Garrison has received—but it is a weighty one—has come from an unexpected quarter. After the *States-Item* had revealed Garrison's use of a substantial sum of public funds for the purposes of his enquiry into the Kennedy assassination, a group of about fifty well-to-do New Orleans citizens got together to set up a private fund for the financing of further investigation. Only the chairman of this group, which calls itself 'Truth or Consequences of New Orleans, Inc.,' has become widely known so far. He is Joseph Rault, Jr., a wealthy businessman and oil operator.

'Truth or Consequences' has given Garrison virtually a blank cheque for any expenses he may deem necessary to further his investigation. No specific sum has been mentioned but the figure involved is believed to run into five digits.

Garrison will doubtless need all the help he can get. Powerful as he is in physical and official stature, the 'Jolly Green Giant,' as the people of New Orleans fondly call their currently most famous citizen, has taken on a far bigger foe—perhaps one too big for him to handle. In this battle of titans, the odds are heavy against the 'Jolly Green Giant.'

His enemies are implacable. Dire threats of violence, including murder, are pouring in daily on Garrison and his family. In *Ramparts* magazine, William W. Turner revealed this episode :

'Recently the phone rang at Garrison's home. A metallic voice warned his wife, "You have kids—we'll get them on the way to school." Momentarily frightened, she turned to her husband and pleaded, "Jim, don't you think of the kids before you get into these things?" "I do," Big Jim said calmly. "I don't want them growing up in a country that can't stand the truth."'

Chapter 3

The Opportune Death of David Ferrie

*'A president is no better than anyone else.
If I were killed, I'd expect my death to
be investigated just as thoroughly.'*

David W. Ferrie—a few hours before
he was found dead

Jim Garrison has a way of making in the most casual way monumental statements that leave his listeners breathless, panting for elucidation. When he learned shortly past 11 a.m. on February 22, 1967, that his chief suspect in the Kennedy murder case, David W. Ferrie, had just been found dead in his apartment, he told reporters that the deceased had been 'one of history's most important individuals.' He didn't elaborate.

As we have seen, David Ferrie certainly rated being called 'a character'. But why should this seamy, furtive, outwardly grotesque figure deserve a description normally reserved for great statesmen, conquerors or revolutionaries?

If one ponders that sibylline statement, it becomes clear that District Attorney Garrison here either indulged in preposterous exaggeration, or else warily lifted a corner of the veil which still covers his profound knowledge of what really happened at Dallas on November 22, 1963.

Most commentators and editorialists promptly jumped to the conclusion that the phrase meant nothing, that Garrison had just been shooting off his mouth without thinking. In the press, his remark was generally treated as a big joke and was considered *prima facie* evidence of Garrison's unreliability. If a district attorney, supposedly investigating the assassination of a president, could stoop to describe a night-like figure from the slums

as 'one of history's most important individuals,' the only possible inference was, the critics argued, that the man just didn't know what he was talking about. How can you trust so unconsidering an official?

Few people bothered to contemplate the alternative: that Garrison knew something no outsider could as yet suspect or guess; that, in the course of his investigation, he had acquired the certainty that David Ferrie had indeed played a crucial role in history.

What kind of role could that have been? Viewed in the context of the circumstances, it must have been a decisive part in the killing of President John F. Kennedy. Who would deny that world history was made at Dallas on November 22, 1963? Who would contest that 'Oswald' had been 'one of history's most important individuals'?

If I have put the name of Oswald in quotation marks, it was deliberate. For Lee Harvey Oswald never made history, except in the sense that he fell victim to the most vicious frame-up in the annals of criminology. He was, and would have remained forever, one of history's least important individuals, for he had no part whatsoever in the slaying of President Kennedy, but for the fact that he was made the kingpin of the official cover-up that was to crown the 'Crime of the Century'.

What I stated as early as June 1964 in my first book on the subject, *Oswald: Assassin or Fall Guy?*, to wit that Lee Harvey Oswald was the innocent scapegoat sacrificed by powerful plotters, that he had not killed anybody in Dallas on November 22, 1963, but was callously charged with two murders he did not commit, has now been confirmed repeatedly in forceful statements by District Attorney Garrison.

And it is certainly not by chance that the first of these statements—again dropped so casually it attracted little attention despite its tremendous significance—was made by Garrison within twenty-four hours of Ferrie's death when he told reporters: 'I have no reason to believe

that Lee Harvey Oswald killed anybody in Dallas on November 22, 1963.'

Taken in conjunction, these two declarations by Garrison, the one affirming the innocence of Lee Harvey Oswald in the Dallas murders, the other describing David Ferrie as 'one of history's most important individuals,' tell the biggest story any American district attorney has ever revealed. Yet both practically fell flat, what with the ingrained prejudice in the press against all critics of the Warren Report, and the noteworthy lack of emphasis—doubly noteworthy in a man who has been accused of being a publicity-seeker—with which they were made. Thus, what could and should have been the most sensational bombshells of 1967 turned out to be mere fizzles.

As a matter of fact, Garrison's first affirmation of Oswald's innocence on February 23 went practically unreported in the world press, while later statements by him to the same effect received a somewhat larger coverage which nevertheless remained consistently below its inherent news value.

In what sense, precisely, did David Ferrie become 'one of history's most important individuals' through his involvement in the Kennedy assassination? Was he the actual marksman who fired the fatal shot at the President, or at least one of the snipers? Probably not. Nothing of what has been revealed so far in the Garrison probe points to Ferrie as one of the killers.

Wherein, then, lies his great importance in the drama? Garrison gave no hint of it when he issued his surprise statement about Ferrie and he has not yet found it expedient to elucidate it further. Still, in the course of his investigation, the outlines of the role played by Ferrie become visible.

On the basis of what has transpired so far—though it isn't much yet—I confidently predict that the eventual outcome of the Garrison investigation will show Ferrie to have been the executive mastermind of the plan to remove President Kennedy through murder. In other

words, he was the man who conceived, in detail, the strategy of the slaying which included, besides the Dealey Plaza ambush, in Dallas, the elaborate cover-up operation which involved a false Oswald painstakingly framing the real Lee Harvey Oswald by scattering far and wide incriminating clues against the latter, well ahead of the assassination. It was a grandiose plan—as Garrison has also acknowledged—cleverly conceived and perfectly executed, although the Dallas police which was in on the plot (the police chiefs, that is) almost managed to bungle it. Only a brilliant mind could have conceived it—and that mind was David Ferrie's.

He, not Lee Harvey Oswald, was the 'kingmaker' who effected the changeover from the liberal, progressive, basically peace-loving Kennedy administration to the 'conservative' and hawkish Johnson regime, the outstanding characteristic of which is the endlessly escalating war in Vietnam. For better or for worse (take your choice), David Ferrie very definitely did make history in a big way.

Therefore, the moment he was facing exposure by the Garrison probe, it became a matter of self-preservation for the men at the top of the conspiracy to eliminate David Ferrie speedily and unobtrusively. The successful liquidation of Jack Ruby, another key figure in the Dallas drama, by means of instant, generalised cancer, only a few weeks earlier set the stage for the equally deceptive manner in which Ferrie was to be disposed of.

The professional murderers, who so far have taken the lives of more than twenty embarrassing witnesses to the Kennedy assassination and the Tippit slaying, have also taken a heavy toll of the conspirators themselves. Tippit, was the first to go, followed by Oswald, Banister (cf. Chapter 6), Ruby and Ferrie, in that order. In nearly every case, liquidation was swift and unobtrusive, though by varying means, with hardly a trace left of murder. Where there were any clues, the police and prosecuting authorities wisely chose to overlook them, as in the Ferrie case.

Jim Garrison and David Ferrie are old acquaintances. Within seventy-two hours of President Kennedy's death in Dallas, the New Orleans District Attorney had David Ferrie and two of his young friends named Alvin Roland Beauboeuf and Layton Martens under lock and key as suspects in the assassination.

Information involving Ferrie in the crime had come to Garrison from at least two different sources. One was a young man by the name of Edward Voebel, alias Ed Voble, who had been a classmate of Lee Harvey Oswald's at Beauregard Junior High School in New Orleans. At the time, Ferrie was serving as instructor in a Civil Air Patrol unit to which he had recruited both Oswald and Voebel, in 1954.

Immediately after the assassination, Voebel-Voble phoned a friend of his, a TV reporter in New Orleans, to tell him excitedly that he and Oswald had trained together in 1954-55 in a Civil Air Patrol unit then headed by a Captain David Ferrie.

That piece of news would not have cut much ice at a time the wires of the nation were snarled by callers from all over the country who had some story to tell about Lee Harvey Oswald. But Voebel had something else to tell that made his friend prick up his ears. In one of the television pictures from Dallas, the young man reported, he had spotted his former instructor, David Ferrie, in the crowd.

That piece of information seemed worth passing on to the authorities. The TV reporter alerted the Secret Service in New Orleans which, in its turn, put Garrison on the trail.

Garrison's other informant was a private detective named Jack S. Martin who got in touch with the District Attorney's office in New Orleans within hours of the assassination. Martin stated that he had known Oswald, that the presumed assassin had been trained in the use of rifles with telescopic sights by a former pilot by name of David Ferrie and that the latter had visited Dallas about two weeks before the assassination. (It should be noted

in this connection that there are several concordant indications that the murder project was given final shape at a secret meeting at Ruby's Carousel on November 14, 1963.)

The case of Jack S. Martin who, now aged fifty-two, again figures prominently in the Garrison inquiry, is a prime example of the tortuous investigating technique employed by the FBI and the Secret Service in the Kennedy assassination case. In *Oswald: Assassin or Fall Guy*, *Oswald: The Truth* and *Marina Oswald I* have time and again pointed out, and demonstrated with case studies, that the FBI and the Secret Service at no time showed the slightest concern for the truth in their so-called investigations but, on the contrary, employed every possible means of persuasion and dissuasion to make the testimony of witnesses conform to the canned official version. Those who refused to co-operate—they were few—invariably were described in official documents forwarded to the Warren Commission as people afflicted with mental instability, habitual drunks, drug addicts or notorious liars. This was exactly what happened to Jack Martin after he had put the finger on Ferrie and—perhaps more importantly still—on another key figure in the assassination by name of W. Guy Banister.

To this date, the name of Guy Banister is almost totally unknown to the general public although he certainly played a leading role in the assassination of President Kennedy. Clearly, there is a policy in effect in editorial rooms, especially at the press agencies, to fight shy of that name as being too 'hot' to handle.

Guy Banister, a fast-living, hard-drinking brute, a former FBI agent and an assistant superintendent of the New Orleans police, had a stormy past. After resigning from the police force, he had founded a detective agency in New Orleans, 'Guy Banister Associates, Inc.', with headquarters at 531 Lafayette Street. Among those who worked for him were David Ferrie and his two young friends Alvin R. Beauboeuf and Layton Martens.

The most important fact about Guy Banister, however, was also the least known. He was a big wheel in the regional organisation of the Central Intelligence Agency. Most of his work as a 'private detective' was done on behalf of the CIA. I'll deal more fully with this intriguing aspect of the matter in a subsequent chapter.

William W. Turner, in his afore-cited article in *Ramparts* magazine, adds another interesting bit of information about Banister. According to this source, Banister, who was 'noted for his outspoken ultraconservatism,' was also a member, along with his partner Hugh F. Ward, of 'The Minutemen', a paramilitary underground organisation of the extreme Right. All over America, the Minutemen are openly training for terrorist action and they dispose of large caches of arms and ammunition drawn mostly from Army and CIA stocks.

In his investigation of the Kennedy murder, District Attorney Garrison 'will get no help from Banister and Ward,' Mr. Turner writes. For, 'potential witnesses to the assassination secrets seem to have a propensity for dying. In 1964, Banister . . . suddenly died of a heart attack. On May 23, 1965, Ward, a commercial pilot, was at the controls of a Piper Aztec chartered by former New Orleans Mayor de Lesseps Morrison when the craft, engines sputtering, crashed on a fog-shrouded hill near Ciudad Victoria, Mexico. All aboard were killed.'

The deaths of Banister and Ward, followed by that of Ferrie, must be viewed against the background of the twenty-odd Kennedy and Tippit murder witnesses who in quick succession succumbed mostly to sudden heart attacks and a variety of traffic accidents. One must be singularly innocent at heart not to discern a pattern and a guiding hand in all this.

Artificially induced heart attacks or brain haemorrhages, and staged traffic accidents, including plane crashes produced by time bombs, sabotage or other means are standard practice in all major intelligence services, in particular the CIA. With a ruthlessness unmatched even by the NKVD in its worst days, the CIA

eliminates by such means not only enemy spies and couriers, but also those among its own agents who for some reason or another have become a liability, especially persons privy to top secrets who are in danger of exposure. There is no doubt in my mind that Banister, Ward and Ferrie were three unlucky CIA agents deeply steeped in the assassination secrets who were silenced on orders from Washington; Jack Ruby fell into the same category, though on a somewhat different level.

To go back to Jack Martin, he also revealed to the District Attorney's office in November 1963 that Oswald and Ferrie had both been manipulated by Guy Banister and that the latter, on one occasion, had even pistol-whipped Ferrie. According to Martin, Ferrie was also due to pick up the assassins at Dallas, on November 22, 1963, with a private plane he possessed at that time.

Such information as this was most unwelcome in FBI and Secret Service circles and Martin was made to feel it. When the federal agents were through with him, he limply signed statements (or is supposed to have signed them) admitting that his story was a figment of his imagination. One of these papers at least can be found in the open section of the National Archives in Washington. It is a report by Secret Service agents Anthony E. Gerrets and John W. Rice who after interviewing Martin 'at length' in his apartment in New Orleans, on November 29, 1963, state :

'Martin, who has every appearance of being an alcoholic, admitted during the interview that he suffers from telephonitis when drinking and that it was during one of his drinking bouts that he telephoned Assistant District Attorney Herman S. Kohlman and told him this fantastic story about David William Ferrie being involved with Lee Harvey Oswald.

'He said he had heard on television that Oswald had at one time been active in the Civil Air Patrol and had later heard that Ferrie had been his squadron commander. Martin stated that Ferrie was well known to him, that he recalled having seen rifles in Ferrie's home

and also recalled that Kohlman (who had been a newspaper reporter previously) had written an article on Ferrie and that Ferrie had been a Marine and had been with the Civil Air Patrol.

'Martin stated that after turning all these thoughts over in his mind, he had telephoned Herman S. Kohlman and had told his story as though it was based on facts rather than on his imagination.'

Additionally, the two Secret Service men reported they had learned that FBI agents had talked with Mr. Martin three days earlier and that he had admitted 'that the information he had furnished Assistant District Attorney Kohlman was a figment of his imagination and that he had made up the story after reading the newspapers and watching television.'

All this is standard technique of the FBI, the Secret Service—and the Warren Commission—in investigating the assassination of President Kennedy. Any testimony not conforming to the official version is either a lie or a 'figment of the imagination' or it results from too much newspaper reading and television watching. Other noteworthy examples of this crooked investigative technique are—among many others—the case of Stephen Harris Landesberg, which I discussed in *Oswald: Assassin or Fall Guy?*; and the cases of Carroll Jarnagin, Seth Kantor and Mrs. Gertrude Hunter, examined in *Oswald: The Truth*.

Martin, thoroughly browbeaten by the FBI and Secret Service bullies, held his tongue for three years but came forward again after the Garrison investigation had gotten under way. He has formally accused the Secret Service of lying about him and stands by the information which he gave Assistant District Attorney Kohlman in 1963. The corroborative testimony of Ed Voble and Garrison's statements about Ferrie have vindicated Martin and confounded his detractors in the press who keep harping on his description, by the Secret Service agents, as an 'alcoholic' in order to discredit his testimony.

When Ferrie, Beauboeuf and Martens were arrested in November 1963, they made no mention of the fact that they had been operating under the orders of Guy Banister, but stated instead that they were working as investigators for a lawyer named G. Wray Gill. This attorney is known to be one of the 'mouthpieces' of Carlos Marcello, one of the top mobsters in the southern States. Garrison has also established that Ferrie used to pilot Marcello around in his private plane.

The curious link between Mafia and CIA which is established by Ferrie's concurrent services for Banister and Marcello is also confirmed by the Ruby case. Jack Ruby, as I have demonstrated in *Oswald: The Truth* and, in even greater detail, in my French-language biography *La vérité sur le cas de Ruby*, was on one hand a top-ranking Mafia representative in Dallas and, on the other, a CIA operative and paymaster for the same area.

After Ferrie and his two friends had been arrested by Garrison's men on November 24, 1963, the FBI stepped into the picture and demanded that the prisoners be turned over to its custody. Before long, they were all released, after the FBI had 'established' that they had had nothing to do with the assassination.

'We picked him [Ferrie] clean,' an FBI spokesman commented after Ferrie's name had again been thrown into debate as a result of the Garrison enquiry. Another said, 'Allegations of Ferrie's connection with an assassination plot were washed out by the investigations done for the Warren Commission.'

The Warren Report does not mention David Ferrie at all, but the *Hearings* contain two brief references to him in volumes XXII, p. 827, and XXVI, p. 771, which are concerned merely with his activities as flight instructor and his influence on the young men who enrolled in the Civil Air Patrol. Nowhere is there any indication of how the allegations tying Ferrie to an assassination plot in November 1963 had been 'washed out' by Commission investigators.

Fact of the matter is that the FBI 'investigated' Ferrie

twice, the first time perfunctorily in November 1963, the second time at considerable length while the Warren Commission was sitting. These labours resulted in a report of forty pages, no less, which was deposited in the *classified* section of the National Archives, allegedly because publication of what the FBI had learned about Ferrie's life could harm the man's reputation.

This threadbare pretext for imposing unwarranted secrecy has been used by the Warren Commission and the FBI on several occasions when they didn't want the public to know something that would be harmful to their own fraudulent version of the Kennedy Murder. If there were an iota of truth in it, then certainly there should be nothing to prevent publication now that Ferrie is dead. A bachelor, he left no close relatives that could conceivably be harmed by disclosures about his sexual aberrations which were a matter of public notoriety anyway. The only heir to Ferrie's belongings is his young friend Alvin Beauboeuf.

Yet even District Attorney Garrison is still being *denied* access to the FBI report on Ferrie, although he has formally requested it in the line of his official duties. This amazing refusal speaks volumes about the real contents of that forty-page dossier. One does not have to be a mind-reader to guess what is in it: a detailed account of Ferrie's activities on behalf of the CIA, possibly even some hints that he may have been involved in the assassination. That is the real reason why the FBI report on Ferrie has been classified top secret by the Washington authorities, as has any other document clearly pointing towards the truth.

How 'thoroughly' the FBI investigated Ferrie before 'clearing' him, appears from remarks made to James Phelan of the *Saturday Evening Post* by Mr. Garrison:

'You know how you can pluck at a thread and wind up unravelling a whole coat? The thread that unravelled this whole case was the trip that Ferrie made to Houston the day after Kennedy was killed. While everybody in the country was glued to their television sets, Ferrie takes

off with two guys and drives through a thunderstorm to Houston. He told the FBI that he had this sudden desire to go skating, and he knew there was a skating rink in Houston. The FBI checked him out and found that he showed up at the skating rink, all right, and they dropped him. But you know what? *They never even asked if Ferrie put on his skates!* We checked and found that he just stood alongside a wall there that afternoon and told everybody who would listen, "I'm Dave Ferrie." We checked the rink and found that there was a phone on that wall. So it seemed plain that this was the message centre.'

Mr. Phelan was sceptical. 'At the end of ten hours,' he writes, 'Garrison had never explained what the "message centre" was for, who called Ferrie there or whom Ferrie called.'

But this remark does not detract from the validity of Garrison's statement. It is obvious that the district attorney could not explain *everything* to a journalist at that stage of the proceedings. If he considers this incident as so important as to constitute the 'thread that unravelled this whole case,' then he clearly has a pretty good idea what the message centre was for and knows the nature of the phone calls exchanged there.

If Ferrie told the FBI that he had travelled to Houston on a sudden impulse to go skating, he has given several newsmen quite a different story. For instance, George Lardner of *The Washington Post*, who interviewed Ferrie at length the night of his death, says Ferrie had told him the purpose of his trip to Houston and Galveston had been to go 'hunting geese' with his friends.

William Turner, in *Ramparts*, describes the same incident as follows: 'Ferrie also had an alibi, of sorts. A New Orleans attorney is fairly certain that on that black Friday (November 22, 1963) the eccentric little man was in his law office around 12.15 p.m. Ferrie contended he was in New Orleans until late in the afternoon, when he and his two young room-mates left on an impromptu trip to Texas to "hunt geese". On the surface it was a wild

goose chase: the trio drove to Houston on Friday, to Galveston on Saturday, and returned to New Orleans on Sunday—over 1000 miles. But Garrison has witnesses who swear that Ferrie spent several hours at a Houston skating rink waiting by the telephone. It was a curious junket at a curious time, so curious that Garrison, on his own initiative, arrested and held the three for FBI investigation of "subversive activity".

Philippe Labro, a French journalist who covered the new Garrison enquiry in February 1967 for the newspaper *France Soir* (Paris), and wrote a lengthy series about it, gave some interesting further details about this matter in the issue of his paper dated March 1, 1967. He writes:

'The day of the Kennedy murder Ferrie suddenly made up his mind to take an automobile trip to Texas, in order to—as he says—go skating at a giant skating rink in Houston, with two friends.

'On arrival there, he makes several important telephone calls, one of them to a motel in New Orleans (which is managed by a brother of Marcello, one of the Mafia overlords in America). Back in New Orleans, Ferrie at first denies having been to Texas, then recants. Houston is about five hours from Dallas by car, which is quite a distance. However, nobody has been able yet to retrace Ferrie's comings and goings exactly that day, after he had left Houston and while he was staying in Texas. It should be noted, though, that Ruby made a quick trip to Galveston, a city in Texas (where Ferrie passed) the day of the Kennedy murder.'

According to the German magazine *Quick*, which on April 9, 1967, published a largely fanciful 'interview' with Garrison, that nevertheless contained some solid bits of information, the New Orleans district attorney discovered that a close friend of Ruby's, a man named Breck Wall, also happened to be in Houston and in Galveston at the same time that Ferrie was in both those two cities. And Ruby, according to this source, phoned Breck Wall in Galveston at 11.44 p.m. on the night of November 22, 1963.

Fragmentary as all this information is, and will perhaps remain forever, since all the principals are dead, there is too much smoke here for there not to have been a fire.

After he had launched his new investigation, Garrison, in November 1966, summoned Ferrie to his office for questioning. Ferrie admitted nothing but he was afterwards kept under ceaseless surveillance by Garrison's men, while other investigators from the District Attorney's office swarmed out to Houston, Galveston, Dallas, Miami and other cities, checking every clue concerning Ferrie that had turned up in one way or another.

As the investigation silently proceeded, Ferrie, according to Garrison, became increasingly nervous, and once he even called the office of the District Attorney himself to try and find out what was brewing. By the weekend of February 18, Garrison was all set to arrest Ferrie, but for some unexplained reason the final move was put off until the following week.

'Apparently we waited too long,' Garrison was later to concede ruefully. Indeed, by the time the warrant for his arrest was to be issued, David Ferrie was dead.

On the evening of Tuesday, February 21, two of Garrison's men were keeping a discreet watch on Ferrie's apartment, as they had done for weeks. At about 11 p.m., the lights went out in the apartment. The detectives took this to mean that the suspect had gone to bed and retired.

But Ferrie was not asleep and he was not alone either. He had a visitor, newsman George Lardner of *The Washington Post*. Let us turn now to Lardner's own story as it appeared in the *New York World Journal Tribune* of February 23, 1967 :

'I may have been the last person to see David W. Ferrie alive.

'While I talked to Ferrie, once interrogated as the "get-away pilot" for a presidential assassin, he said he was convinced there was no plot to kill President Kennedy and that Lee Harvey Oswald was a "loner".

'Ferrie, one of District Attorney Jim Garrison's prime

witnesses in the investigation of Kennedy's assassin [sic], also said he was convinced the investigation would turn out to be a "witch hunt".

"This is not a city prone to know what it's doing before it arrests people," he declared.

This was the substance of a four-hour interview that I had with Ferrie, ending shortly before 4 a.m. yesterday.

'At 11 a.m., just seven hours after I left Ferrie, his body was discovered with a sheet *pulled up to his chest*. [Note: The Associated Press, in a dispatch from New Orleans, February 22, said about the discovery of Ferrie's body. 'He was nude. A bedsheet was *pulled over his head*.'—J.J.]

'As if in a parting gesture, he said: "A president is no better than anyone else. If I were killed, I'd expect my death to be investigated just as thoroughly."

'He then went back upstairs to his room, perhaps to prove the point.'

Ferrie's last words, as reported by Lardner, are noteworthy. A man doesn't say, certainly not to a stranger, 'If I were killed . . .' unless he were harbouring some suspicion that his life was in danger. Ferrie, then, had a premonition that he was going to die—violently.

And just what does Lardner mean with the sentence 'perhaps to prove the point'? In a series of articles which he later wrote for *The Washington Post*, Mr. Lardner rallied to the theory that Ferrie died of natural causes (brain embolism). What, then, was Ferrie going 'perhaps' to prove when he went back upstairs to his room after the interview? That his death, which was to follow quite naturally, a few hours later, was worth investigating?

But did David Ferrie really die after the interview? Two inserts made by the editors of the *World Journal Tribune* within the context of the Lardner story read as follows:

1—Another puzzling aspect of the case developed when Chetta (Orleans Parish Coroner Dr. Nicholas J.

Chetta) said Ferrie's death *must have occurred before 4 a.m. Tuesday*,¹ according to United Press International.

2—(Garrison said the time of death estimated by the coroner and the time of the Lardner interview created a major inconsistency and was 'one of the mysteries we don't understand')

Mystery, indeed. Ponder this amazing time sequence :

At 11 p.m., Tuesday night, February 21, the lights go out in Ferrie's apartment. One hour later, at midnight, reporter George Lardner turns up, is admitted to the apartment and talks with Ferrie for four hours, until 4 a.m. Wednesday. But, by the time Lardner leaves, the subject of his interview, according to the Coroner's report 'must' have already been dead !

According to all normal rules of criminal investigation, this sequence of events would have warranted some intense questioning of Lardner—but is anything normal in the incredible Kennedy Murder case with all of its incongruous consequences? Anyway, this angle, that the person who by his own account was the last to see Ferrie alive and who left his apartment at a time the Coroner says there was a dead body there, might have had something to do with the sudden demise of Ferrie was not even investigated, as far as one knows—apparently on the theory that journalists don't do such things.

What was the cause of Ferrie's death? Garrison and the Coroner are not in agreement on this point. According to Chetta, Ferrie died of a ruptured blood vessel at the base of the brain, while Garrison spoke of 'apparent suicide.'

The suicide theory is based on one hand on the discovery, in the dead man's room, of an array of fifteen bottles containing a variety of pills; and on the other, on an *undated* and *unsigned* note that was found in the dining-room of the apartment. It said, *in part* (for only part of the text has been made public) :

1. Should be 'Wednesday'.

'To leave this life is, for me, a sweet prospect. I find nothing in it that is desirable and on the other hand everything that is loathesome.'

Because of the discovery of so many tablets in his room, toxicological tests were ordered, which proved negative. No trace of any toxic substance was found in Ferrie's stomach, nor did the body show any wound, concussion or other mark of violence.

On the basis of these tests, the Coroner, on February 28, ruled that Ferrie had died a natural death, possibly due to extreme mental pressure. Dr. Chetta called Ferrie 'a psychopath . . . a dangerous individual capable of almost anything,' but stated that he could not have killed himself except perhaps by worrying himself to death under the 'stress and strain' of the Garrison investigation. Ferrie had high blood pressure, he said, and was suffering from a hypertensive cardiovascular disorder.

This medical verdict, based as it is on the absence of any visible traces of suicide or murder, is contradicted by the existence of the suicide note and also by the 'good spirits' in which Lardner found Ferrie when they talked.

On the other hand, Garrison's apparent belief that Ferrie committed suicide is not tenable either under the circumstances. Lardner quotes Ferrie as telling him, 'Kennedy is dead—Let's get on with living,' which is certainly not the way a man about to kill himself would talk.

The third alternative—murder—appears to have been discarded *a priori* by both Chetta and Garrison. Why should it be ruled out?

There *are* ways and means of killing a man without leaving any discernible trace on his body and they are taught as a fine art in all espionage and counter-intelligence schools. The edge of the palm is the deadliest weapon in the world, if wielded by an expert, and it can fell a man at a blow without leaving a trace.

William Turner, himself a former FBI agent, also envisages this solution to the strange case of David Ferrie. He writes in the above-cited *Ramparts* article :

'The bizarre quality of Ferrie's life followed him into death. After being questioned by Garrison, he muttered he did not have long to live. The cause of death, the coroner revealed, had been an embolism at the base of the brain induced by hypertension. *But a brain embolism can also be caused by a deftly administered karate chop to the neck*, a technique which possibly killed Dallas reporter Jim Koethe, who had participated in an enigmatic meeting at Jack Ruby's apartment the night Oswald was murdered.' (For details, see *Oswald: The Truth*, Chapter 13, 'Ruby's Lethal Secret'.)

To be sure, there is no positive proof that Ferrie was murdered, but several circumstances strongly point in that direction. There is no more lethal secret in the world today than the certain knowledge, still shared by a rapidly vanishing little band of people, of why, how and by whom President Kennedy was killed. Ruby, who knew, was skilfully and silently disposed of as the new trial which the Texas Supreme Court had ordered for him was about to get under way. Ferrie, who also knew, could not be allowed to fall into the hands of a district attorney without endangering the safety of the higher-ups in the conspiracy. As always, the motive is the strongest pointer here, even though the identity of the slayer and his backers remain secret for the time being.

Ferrie's remark about 'If I were killed etc.', made only a few hours before his death; his 'good spirits' during the interview with Lardner, which make suicide appear as unlikely as the onset of sudden natural death; even the fact that an ostensible suicide note was found in a conspicuous place all point in that direction.

For a note without date or signature hinting at suicide, such as the one that was found in Ferrie's apartment, could very well have been clipped out of a different context by a murderer and then planted there to cover up for the crime.

One thing is certain: Ferrie's last wish deserves to be granted. His death should be thoroughly investigated—by District Attorney Jim Garrison.

Chapter 4

Who Is Clay Bertrand?

Dean Adam Andrews Jr. is a lawyer who comes straight out of a Marx Brothers or Jerry Lewis film. The roly-poly Andrews, forty-four-years-old, his plump face forever hidden behind huge sunglasses, has a way of expressing himself, even in court, in a lingo no living practitioner of the law can remember ever having heard in an English-speaking country. They say it's 'hip-talk', but I doubt that, too. At any rate, Andrews outthips the hippies when he is holding forth, which is one of his favourite occupations.

On July 17, 1967, Dean Andrews spoke at a press club luncheon in New Orleans to tell newsmen about his current tribulations, which are many, and they all stem from the Kennedy assassination. For Andrews, it was a polished address, yet full of picturesque statements. In answer to a query as to how he ever got involved in this mess in the first place, Andrews said :

'I was going fishing, but was just sitting at my desk day-dreaming when this character Lee Harvey Oswald walks into my office. I stayed to listen to the guy because I thought I'd make some bread. But I haven't made any bread. I should have gone fishing.'

After this promising start, Andrews really went into pictures :

'Now I'm like a harpooned whale hauled on to the beach. I can't get away. I got nowhere to go.'

He said the FBI expects him to remember when Oswald walked into his office. 'They expect me to open a sixteen-cent file on every character that comes in.'

He also claimed to have been 'the original critic' of the Warren Commission because 'I told them what I thought'.

Then he ventured a prediction : 'And I may be the

only cat in history that's indicted, tried and convicted in the assassination of President Kennedy.'

Andrews was right, or nearly so. He may not be the 'only cat', but he certainly was the first. Indicted in mid-March for perjury, he was found guilty by a jury on three counts, on August 14, and four days later was sentenced to eighteen months in prison. He appealed the sentence and was provisionally released on a \$2,500 bond.

The poor man has other troubles. One of them he described to the press club in these terms: 'You have fat old ladies sticking you in the behind with pins asking why you don't tell Big Jim the truth.'

That is the root of his troubles. Andrews should have told Big Jim the truth. God knows why he didn't. Maybe he was afraid. One can't really blame him for being afraid. Andrews, also, knows too much for his health. And he really wasn't asking for trouble. Just wanted to go on day-dreaming, fishing and making a bit of bread until that fateful day in the summer of 1963 when Lee Harvey Oswald chanced to stroll into his office, to consult him about a 'yellow paper discharge'.

Summoned before the Warren Commission, Andrews related that one day in the summer of 1963—he couldn't remember the exact date—'Oswald came into the office accompanied by some gay kids. They were Mexicanos. He wanted to find out what could be done in connection with a discharge, a yellow discharge . . . when he brought the money I would do the work, and we saw him three or four times subsequent to that, not in the company of the gay kids. He had this Mexicano with him . . .'

'Gay kids' (homosexuals) were not a novelty in Andrews' legal life. As a matter of fact he operated a sort of turnstile law practice primarily intended for their benefit. Asked to estimate the volume of this business (for Andrews seldom, if ever, kept records of his clients), he replied: 'Last week there were six of them . . . Depends on how bad the police are rousting them. They shoo them in. My best customers are the police . . . God bless the police.'

There was a time when Andrews' law practice was still innocent of 'gay kids', but it ended when a mysterious character who called himself Clay Bertrand got in touch with him to enlist his help for some young friends of his who were in trouble with the law. Andrews was supposed to obtain either bond or parole for them, and he usually delivered. Andrews told the Warren Commission he assumed that Oswald had also been sent to him by Clay Bertrand.

The day after the assassination of President Kennedy, Andrews told Commission Counsel Wesley J. Liebeler, who interviewed him on July 21, 1964, that Clay Bertrand phoned him again, asking the lawyer to defend Oswald at his forthcoming trial. But Andrews, in his own words, felt 'squirrely' that day and was due to go to hospital. So he referred the case to a friend of his, a lawyer named Monk Zelden. The next day, Zelden called Andrews at the hospital to tell him: 'Your client doesn't need a lawyer any more. He's dead.'

While Andrews was at the hospital, under heavy sedation, he claims, somebody broke into his office and rifled it—but this may have been just an expedient way of telling the Warren Commission why he kept no records on Oswald or any other of his clients.

As soon as Andrews was released from the hospital, the FBI went to work on him. In retrospect, it seems highly significant that they appeared determined to efface from his memory any thought that he had ever heard of a man named Clay Bertrand. For, Andrews, in a call he made to the Secret Service from his hospital bed, on November 25, 1963, had reported his first encounter with Oswald and the two more visits by the latter that followed. In doing so, he also dropped the name of Clay Bertrand as the 'lawyer without brief-case' who had referred Oswald to him.

The name of Clay Bertrand apparently electrified the FBI, but not into action on this new clue. On the contrary, they put heavy pressure on Andrews to forget that

name, suggesting to him—again—that it must have been a ‘figment of his imagination’.

Andrews’ dealings with the FBI—the ‘Feebees’, as he called them—left a vivid impression on him which he imparted to Mr. Liebeler in these words :

‘You can tell when the steam is on. They are on you like the plague. They never leave. They are like cancer. Eternal.’

They finally wore down Andrews’ resistance to the point where he agreed to let them write in their report whatever they pleased. All he wanted was to be left alone, so would they please get it over with and close their file on him? This they did after forwarding to the Warren Commission a report stating that Andrews had admitted that Bertrand did not exist.

When Mr. Liebeler, taking Andrews’ sworn deposition, suggested that ‘in your continuing discussions with the FBI, you finally came to the conclusion that Clay Bertrand was a figment of your imagination?’, Andrews indignantly replied : ‘That’s what the Feebees put on.’

Andrews had good reason to trust his own recollection more than the word of the FBI, for, only six weeks prior to his appearance before the Warren Commission, i.e., around June 7, 1964, he had once more encountered his ‘figment of imagination’ very much in the flesh. He told Liebeler that he had run into Clay Bertrand, ‘a swinging cat’, by chance, in a ‘little freaky joint’—Cosimo’s bar in the French Quarter of New Orleans.

‘I was trying to get past him so I could get a nickel in the phone and call the Feebees,’ Andrews related to Mr. Liebeler. ‘But he saw me and spooked and ran. I haven’t seen him since.’

The Warren Commission, in their Report, deprecated Andrews’ testimony, taking, as always, the FBI account for granted. They were not impressed either by the fact that two former employees of Andrews, a private investigator named Preston Davis and his secretary Eva Springer corroborated Andrews’ testimony concerning Oswald in important details. Neither one of these

important witnesses was heard by the Commission, but they were both interviewed by the FBI. According to one FBI report, 'Davis advised that he cannot positively state that Lee Harvey Oswald was ever in Andrews' office, but after viewing numerous photographs of Oswald on various TV programmes, can state that he is vaguely familiar and may have visited Andrews' office. In addition, he can recall Andrews' mentioning to him on various occasions that an individual named Oswald had been to Andrews' office.' Furthermore, Davis told the FBI he recalled that in June 1963 Andrews 'discussed with him the procedure to amend or correct an undesirable discharge from the Marine Corps...'

As for Eva Springer, while she did not remember a visit to the office by Oswald, she 'recalls Andrews' speaking to her briefly about someone being interested in changing a discharge from the Marine Corps,' the FBI also reported on December 6, 1963.

The FBI, one gathers, is not much interested in the question of whether or not Lee Harvey Oswald did visit the office of Dean Andrews, in June 1963, for the purpose of having his undesirable discharge from the Marine Corps amended—but it hotly discourages anybody talking about 'Clay Bertrand'.

Andrews, for his part, is very much interested in Bertrand—at least he still was at the time he testified before the Warren Commission. He said to Liebler: 'There's three people I am going to find: One of them is the real guy that killed the President; the Mexican; and Clay Bertrand.'

He also voiced regret at having let Bertrand get away when he met him again briefly in Cosimo's bar: 'What I wanted to do and should have done is crack him on the head with a bottle... I probably will never find him again...'

Andrews, in his testimony, also made light of the accepted version that Oswald alone, with three well-placed shots, killed President Kennedy. Speaking as a former soldier who had also had five years of experience

as an ordnanceman in the Navy, Andrews expressed the opinion that 'that boy couldn't do it'. He went into considerable technical and ballistic detail to substantiate his point. All of which did not endear Dean Andrews to the hearts of the Warren Commission which dismissed his testimony as unreliable.

If the FBI and the Warren Commission were keenly interested in the non-existence of Clay Bertrand, District Attorney Garrison, by contrast, not only wanted to know all about him, but insisted that Andrews reveal his true identity. This Andrews would not do and he had solid grounds for reticence. For, as he explained to lawyer Mark Lane, author of *Rush to Judgment*, when the latter tried to interview him, 'I can't talk about the case. I called Washington and they told me if I said anything I might get a bullet in the head...'

Getting a bullet in the head is not a nice prospect for a man who just wants to day-dream, go fishing and make some bread. So Andrews clammed up—but now he was in real trouble. On the one hand 'Washington' was threatening to blow his brains out; on the other, Jim Garrison was holding the threat of perjury over his head.

While the Warren Commission, true to its implicit assignment to suppress the truth at all cost, had paid no attention to Andrews' disturbing revelations, Garrison saw an important lead in them. There is reason to believe that it was Andrews' testimony before the Commission which provided the initial spark that set the Garrison enquiry in motion.

If Clay Bertrand was *not* a figment of Andrews' imagination—and the evidence, properly evaluated, indicated that he was not—Garrison reasoned, then he must have been involved in a conspiracy with Oswald, and possibly others, if he had taken such a personal interest in the fate of the accused killer.

Or could it be that there was some Machiavellian scheme afoot to prejudice Oswald's case irreparably by palming off on the defendant, as counsel, a shyster given to hip-talking and clowning and whose manners were

bound to affect adversely a jury probing into the 'Crime of the Century'?

Whatever Bertrand's motive may have been in trying to secure Andrews' legal services for the accused killer, the suspicion was strong that he was somehow involved in an assassination plot.

But who was Clay Bertrand? No such name figured in the telephone directory or any other source of reference available to the district attorney. Evidently, then, it was an assumed name concealing another identity.

Andrews was no help in the matter. He only knew Bertrand as Bertrand, he said, and that was that.

It is not known yet who or what provided the original clue to Garrison's investigators for thinking that Clay Bertrand was an alias used by one of New Orleans' most prominent citizens whose real name was Clay L. Shaw.

Curiously, the 54-year-old former business executive on whom Garrison's suspicions settled, a hard-faced man with rugged features, steely eyes and a square chin, had much in common with the prosecutor himself.

Both are uncommonly tall men. Both served in Europe during the last war and attained the rank of major by the end of hostilities. Both figured prominently in the small Social Register of New Orleans, which counts only thirty-odd names. And neither of them is a native of Louisiana. While Garrison is by birth a Midwesterner, Shaw is a typical 'Boston Brahmin', educated at Harvard.

Shaw had been for nineteen years executive director of the New Orleans International Trade Mart; he had done a great deal for the development of the city's port facilities; and he was considered a patron of the arts who, among other things, had helped restore the old French Quarter of New Orleans, the 'Vieux Carré'.

A bachelor, Clay Shaw was also something of a social lion in fun-loving New Orleans. He used to toss lavish cocktail parties in his tastefully furnished villa at 1313 Rue Dauphine, in the heart of the French Quarter,

which is surrounded by a small park dotted with statues, fountains and a balustraded swimming pool.

He had many social ties also in Europe, and was well-known in London society. Charles Greville, writing in the *Daily Mail* of March 17, 1967, gave these details : ‘ . . . Lord Oranmore and Browne’s niece, Olwen, who knew him when she lived in America with her first husband, Wayne Harriss, told me : “He visited me and my present husband when he was in London a couple of months ago.”

‘She added : “He stayed at the Carlton Tower Hotel and looked up all his friends in Belgravia. One of them is an MP.

““He knows a lot of people in this country. He came first during the war and dined with Churchill and all that sort of thing.

““He was very good to me when I was in a spot of bother in America. He would take three hours off to come with me to my lawyer, for example, just out of friendship.

““As head of the International Trade Mart in New Orleans he was terribly busy, but he always found time to be kind to me and his other English friends out there. When I left I gave him my parrot, named after Dorian Gray.

““It is quite inconceivable that he should have been involved in a plot to assassinate President Kennedy. We’ve all written to him telling him we all believe in his innocence.”

‘Shaw is interested in the theatre and was planning to buy plays for production in London and America.’

So far the chatty and inconsequential part of what Mr. Greville found out about Shaw’s connections with London society. But the reporter learned of something else which may have great significance :

‘Yesterday I discovered that at the time he was arrested in District Attorney Jim Garrison’s probe Shaw was planning to return to England and *set up home in*

'London next month,' Mr. Greville wrote (*italics mine—J.J.*)

Now that is really interesting. So Clay Shaw was going to move to England just as Garrison's men were closing in on him. Could it be that he was on the run—or was about to be?

In 1966, Shaw retired as director of the Trade Mart, in order to devote himself entirely to his artistic and literary interests, or so he said. But he remained a board member of a pseudo-commercial firm which calls itself the 'World Trade Center Corp.' and is active in various parts of Europe and Africa.

And this 'World Trade Center' has been identified as a front organisation for the Central Intelligence Agency!

When Garrison on February 23, told reporters, 'My staff and I solved the assassination weeks ago. I wouldn't say this if we didn't have the evidence beyond a shadow of doubt. We know the key individuals, cities involved and how it was done,' he met with general incredulity. Newsmen frequently prodded him to say when he would pounce with arrests. Garrison jokingly put them off: 'Oh, maybe in thirty to forty years.' In fact, his first, and a most sensational, arrest was only a few days away.

On the morning of March 1, Clay Shaw was summoned to the office of District Attorney Garrison. He told friends he thought the DA wanted to question him about the time Lee Harvey Oswald was distributing pro-Castro leaflets in front of the International Trade Mart in New Orleans.

But Garrison had other fish to fry. At the end of a five-hour interrogation, about which little has transpired, Shaw was arrested, at 5.45 p.m., on charges of conspiracy to assassinate President Kennedy. After arraignment, he was released on a \$10,000 bond.

While Shaw was in custody, the DA's investigators performed a minute search of his home, carting off a great variety of articles and papers the significance of which was not immediately apparent. However, a statement by Garrison's office to the effect that in Shaw's

cellar a black hood and cape, a black gown, a black net-type hat, several whips, chains and pieces of rope had been found warrants the conclusion that Shaw's life included some exercises not normal in high society and that he even may have led a sort of double life.

The following day, the District Attorney's office also claimed that Clay Shaw was none other than Clay Bertrand, whom Dean Andrews had once described as the 'queen bee' of New Orleans perverts.

These disclosures, following on the heels of similar revelations made about David Ferrie, set the world press agog and produced a spate of stories which for the most part completely distorted the true nature of the investigation Jim Garrison is conducting. The element of sexual aberration was emphasised out of all proportion, while at the same time the political significance was played down or completely ignored.

In the American press, the prevailing mood was one of sympathy for Clay Shaw, if for no other reason than simply because any development striking at the roots of the Warren Report was unwelcome to the news media which are, with very few and small exceptions, firmly wedded to the Establishment.

Jim Garrison was not overly impressed by this antagonism.

'I have no doubt about the case,' he told reporters. 'There will be more arrests, and they will hold up. If you bet against me, you will lose.'

But Garrison was not over the hill yet—not by a long shot. A powerful opposition saw to it that his path to The Truth remained strewn with rocks and snares.

One of the first obstacles on his road was the rotund figure of Dean Andrews. If Garrison had hoped to get some help from the talkative shyster, whose hearty dislike of the FBI he had come to share, he was sorely mistaken. Andrews, mindful of what 'Washington' had told him, searched his memory in vain for any recollection that would help to identify Shaw as Bertrand. Under questioning, he began to tell all kinds of stories about

Bertrand, none of which jibed with the preceding one. His accounts even varied as to the size, the colour of hair and the features of the man he had come to know as 'Bertrand'.

As he rattled on, Bertrand became shorter and shorter in his mind—and therefore more and more unlike the towering Shaw.

'I'm not a boy scout who measures them,' Andrews indignantly replied when confronted with evidence of his contradictions.

If he was evasive and unco-operative at first, Andrews before long became openly hostile and, in the process, changed from professed inability to identify Shaw as Bertrand to a 'Shaw ain't Bertrand' stance and finally to the deliberately false identification of a total stranger to the proceedings as being Bertrand.

At the outset, Andrews, pressed by Garrison's staff, had contended that he just didn't know whether Shaw and Bertrand were the same person.

Subpoenaed to appear before a grand jury, he repeated this story and was promptly indicted for perjury—the first of three such indictments to descend on his head.

Next, Andrews took to telling anybody who would listen, 'Clay Shaw ain't Clay Bertrand, and I'm the only one that knows it,' which earned him a second indictment for perjury.

The third and final indictment came after Andrews had been caught up in the National Broadcasting Corporation's big propaganda offensive against the Garrison investigation, which will be detailed in Chapter 11.

In testimony before the grand jury on June 28, Andrews repeated the false story he had given the NBC reporters,¹ to wit that the Bertrand he had known was a forty-two-year-old bar owner in the French Quarter named Eugene Davis.

1. The National Broadcasting Corporation (NBC) is one of the three major television companies in America, each with a nation-wide coverage.

Davis, who had been for many years a good friend of Andrews, exploded with an indignant denial.

'The recent statements by Andrews identifying me as Clay Bertrand are utterly and completely false and malicious and damnable,' he declared in a statement published on June 29. 'They are lies without justification.'

After this blast, Davis rushed to the office of District Attorney Garrison to repeat his denial under oath. As a result, Andrews was again charged with perjury on July 18 and, as has been said before, was convicted and sentenced in August on all three counts.

As a fine example of the way Andrews kept talking and testifying at random, here is an excerpt of his questioning before the grand jury on June 28 by Assistant District Attorney James L. Alcock, as reproduced from the New Orleans *States-Item* of July 18, 1967:

Q. Dean, do you know the real Clay? . . .

A. The man, I believe, is Gene Davis, and if you ask him he'll call me a crocus sack of lies . . .

Q. Now, what leads you to believe that this is Clay Bertrand?

A. Because I believe it. I am the only one who has to account for myself.

Q. What basis do you have?

A. Helen Gert [who Andrews explained worked with Davis in his bar years ago] back in the 'fifties, at the fag [homosexual] wedding reception I was telling you all about, introduced me to Davis as Clay Bertrand.

[In earlier testimony, Andrews said he originally met Betrand at a 'fag' wedding reception]

Q. And this was the man that was introduced to you as Clay Bertrand?

A. Right.

Q. Have you talked to this man on the phone recently?

- A. I talk to him almost every day. I have known him a long time.
- Q. Your testimony now is that this is the man who sent the clients to your office? Talked to you on behalf of homosexuals?
- A. This is the man who sent clients to my office; sometimes they were fags, sometimes they weren't.
- Q. Is this the man who called you in the hospital and asked you to represent Lee Harvey Oswald?
- A. This is the man I believe called me. I believe . . . what you all believe is your affair . . .
- (Question by a grand juror.)
- In your mind, this is Clay Bertrand? The man who called you down through the years representing homosexuals?
- A. No, he didn't do it that way. That's the way I said it, put it into the Warren Commission report—everybody picks it up from there and goes with it. I never said it other than in the Warren Report . . .
- (Questioning by Assistant DA Richard V. Burnes.)
- Q. I asked you if you ever heard from Clay Bertrand after the time you were called about representing Lee Oswald in the assassination and the answer was 'I ain't seen nor heard of him since.'
- A. Not from Clay Bertrand, 'cause I call him Gene Davis. You are right, I told you that, and I ain't seen hide nor hair of him nor heard from Clay Bertrand—other than one time I remember when I was with Regis [apparently a reference to FBI man Regis Kennedy] up there. I call him Gene. I was introduced to the man one time.
- Q. Did this man change appearance and change personality with the name change?
- A. No.
- Q. He still looked the same?
- A. No, he has changed, he is fat like me. He has aged. Time has gone by. This has been ten . . .'

It is not really very hard to see that Andrews is here lying in his throat, under oath. First he says of Clay Bertrand, 'I ain't seen nor heard of him since', i.e., since Bertrand had phoned him on November 23, 1963; then he turns around and says, 'I talk to him almost every day,' i.e. to Gene Davis, the man he identifies, in the same breath as Clay Bertrand.

Accordingly, the bill of information drawn up by the District Attorney's office on the basis of that information stated that 'the statements enumerated above are willfully false and untrue.' The jury thought so, too.¹

Outside the courtroom, when asked by reporters why he had withheld his identification of Davis as Bertrand so long, Andrews replied, 'How would you like to have your brains knocked out and be busted down to your toes?'

The Davis hoax went over smoothly with the National Broadcasting Corporation which, in a programme aired in the latter half of June, proudly announced that its reporters had been able to establish that Clay Shaw was not Bertrand. NBC went on to say that its newsmen knew the real name of Bertrand who was 'a well-known New Orleans businessman,' whose identity the network wished to withhold for the time being. But his name had been forwarded to the U.S. Department of Justice, the broadcast added.

According to the New Orleans *States-Item* of June 29, 'Davis, a part owner of Wanda's Seven Seas bar at 704 Iberville, said he was contacted by two Federal Bureau of Investigation agents "a day or two after the NBC broadcast".' So there can be no doubt whatsoever that NBC had passed on Davis' name to the Department of Justice as part of Andrews' lying story. This is a typical example of how the news media have been consistently perverting and distorting the truth about Garrison's investigation. The story that NBC could prove that Clay Shaw was not Clay Bertrand and that the name of the real 'Bertrand' had been turned over to the Department

1. The story of Dean Andrews' trial for Perjury, held in August 1967, will appear in the author's next work, *The Clay Shaw Trial*.

of Justice went the rounds of the world press and the foreign radio network, but nary a finger was lifted anywhere in the world to correct the story when its utter falsity had been proved in New Orleans. That's the way the Garrison enquiry has been 'reported' all along.

The two federal agents met Davis at a local drugstore, he recounted, and identified themselves with FBI credentials. They first showed him photographs, he said, and asked him if he recognised the pictures. Davis said he did not.

Later, he added, they asked him if he 'ever used the name Clay Bertrand or had known of anyone else who used that name.'

'I said "No,"' Davis declared.

'Before they left,' he continued, 'one of the men told me, "I feel sure that you're not Clay Bertrand".'

In an interview with the New Orleans *Times-Picayune* (June 30, 1967), Davis made an important additional disclosure. He said:

'The only time I have ever spoken to Dean Andrews and the name Clay Bertrand was mentioned was when Dean Andrews called me on the telephone which was *after Clay Shaw was indicted* and during the course of the conversation he asked me if I had ever known anyone by the name of Clay Bertrand or could I assist him in helping him to find a Clay Bertrand.'

It is clear enough from all this that Andrews, who at first had wanted to promote the search for the truth about the assassination, as the record of his dealings with the Warren Commission shows, later became a helpless tool of the forces that are determined to suppress the truth forever.

He kept protesting his innocence, sometimes with his habitual jive talk, sometimes even using the King's English.

'Garrison thinks I have the key to some locks,' he once exclaimed. 'The fact is I don't even know where the locks are.'

On another occasion he said, 'You've got the right ha

ha, but the wrong ho ho.' This was to become his most famous dictum.

To be sure, Andrews is a victim of circumstances. He was drawn against his will into a web he had not helped to spin and entangled himself further with every attempt to extricate himself.

By the time the Garrison enquiry got started, the corpulent Andrews, father of two girls and with his wife expecting a third child, had achieved a fairly comfortable position in life. He had been for some time assistant district attorney of Jefferson Parish (County), a suburban area of New Orleans. In mid-March 1967, just prior to his first indictment for perjury, he was suspended by District Attorney Frank H. Langridge. At the end of June, he resigned for good, saying he wished to revert to his private law practice.

Before long, he was heard complaining that Garrison's tactics, especially the string of perjury indictments, had crippled his law practice.

As a result, Andrews told reporters, he had been forced to take on a second job, acting as master of ceremonies and sitting in on the bass fiddle at Mahogany Hall, 522 Bourbon Street, a traditional jazz house.

'I don't mind it,' he commented, 'because I dig that bit.'

He always did belong in show business, of course, rather than in the legal profession.

* * *

To the intriguing question, 'Who is Bertrand?' the U.S. Department of Justice, thoroughly opposed as it is to the Garrison probe, had already given a clear-cut answer long before the NBC helpfully came along and blurred the trail with the fictional Gene Davis story. And that answer clearly and unequivocally, was : Clay Bertrand is Clay Shaw.

That astounding admission came about in a devious manner and it received the least possible publicity in the

world press. On March 3—two days after Shaw's arrest—a Washington correspondent for *The New York Times*, Robert E. Semple Jr., reported that an un-named Justice Department spokesman had said his agency was convinced 'that Mr. Bertrand and Mr. Shaw were the same man.'

Semple's enquiry with the Justice Department had been prompted by a statement issued the day after Shaw's arrest by U.S. Attorney General Ramsey Clark to the effect that Shaw had been investigated in 1963 and cleared of any complicity in Kennedy's assassination.

After this statement was issued Semple immediately went to the National Archives and searched through all the available documents there. When he could find no reference to Shaw in any of the papers stored there, the *Times* man returned to the Justice Department and asked the basis for Clark's statement.

It was then that he was told that the reference had been to 'Bertrand' and that the Department was convinced that Shaw was Bertrand and 'that was the basis for Mr. Clark's assertions this morning.'

Before long, however, the Department of Justice got cold feet and back-tracked in undignified retreat. In the words of Jim Garrison (they are contained in a formal motion filed with the District Court in New Orleans on July 5):

'The United States Attorney General, Ramsey Clark, falsely stated to the national public within days of the arrest of Clay Shaw that Clay Shaw was investigated by the FBI and that he had been cleared. This false statement has been subsequently retracted by the Justice Department along with its identification of Clay Shaw as Clay Bertrand.'

This matter was included in the motion in a category of 'false charges and statements designed to wreck this case,' which prompted the office of the District Attorney to ask the court for an early trial date in the case of *Louisiana v. Shaw*.

It is hard to tell for sure what prompted the Depart-

ment of Justice to reverse an allegation made by no less a person than the Attorney General himself. Nor is it possible for an outsider to say which of the two statements really is the false one : the earlier or the later one.

In either event, the Department of Justice has been caught lying and in either event the case of Clay Shaw has been damaged, perhaps irreparably. For, either he stands identified, on the highest federal authority, as Clay Bertrand, as the original statement has it; or else it is proved that he never was cleared in November 1963, as his supporters in the press keep alleging.

Chapter 5

The Testimony of Perry Russo

'Even in the sombre setting of a courtroom, New Orleans District Attorney Jim Garrison's spectacular investigation of the assassination of John F. Kennedy was barely distinguishable from a circus sideshow.'

These are the opening lines of a story which appeared on March 24, 1967, in *Time* under the heading 'THE D.A. WINS A ROUND.' It deals with the preliminary hearing of Clay Shaw before a panel of three judges presided over by the Senior Criminal Court Judge of New Orleans, Bernard J. Bagert, on March 14 and is typical of the biased and slanted reporting by the press that has marked the Garrison investigation throughout.

What basis did *Time* have for the serious charge that a formal pre-trial hearing conducted by three independent judges, with all the normal safeguards of American jurisdiction, was 'barely distinguishable from a circus sideshow'? None whatsoever, except the editors' own prejudice in the matter.

Indeed, the 'circus sideshow' is substantiated by *Time* as follows :

'In a hearing to determine whether retired businessman Clay Shaw, fifty-four, should be tried on charges of conspiring with Lee Harvey Oswald and others to murder the late President, "Big Jim" produced only two prosecution witnesses. One was a confessed heroin addict. The other was a young insurance salesman whose impeccable clothing concealed a mind in considerable disarray and whose memory had to be jogged by means of hypnosis. Yet their testimony was enough, in the view of a three-judge panel in Orleans Parish Criminal District Court, to establish "probable cause" and require Shaw to stand trial ...'

A confessed heroin addict is not necessarily a false witness.

And the allegation that the impeccable clothing of Garrison's principal witness at this hearing, the twenty-five-year-old insurance salesman Perry Raymond Russo of Baton Rouge, La., concealed 'a mind in considerable disarray' is just as unwarranted and gratuitous. It is even contradicted by other observers at the pre-trial hearing whose general attitude towards Garrison is just as antagonistic as that of *Time*. Thus, for instance, James Phelan wrote in the *Saturday Evening Post* of May 6: 'Dark-haired and sombre, the twenty-five-year-old salesman proved a polite and imperturbable witness,' and states later in his article that Russo was 'calm, cool and collected.'

To Jim Garrison, Perry Russo apparently was something of a windfall. He was not one of the District Attorney's original witnesses and much has been made in some parts of the press of the fact that Russo did not come forward until the day after Garrison had made the statement saying that he had solved the assassination 'weeks ago,' and had added that he knew the 'key individuals... involved.'

The way this sequence of events was presented in the anti-Garrison papers, it was made to look as though the District Attorney had been shooting off his mouth without a shred of evidence, on February 23, hopeful that something would providentially fall into his lap, as Perry Russo did the following day.

There is of course another possible explanation. There are many indications that Garrison has not yet divulged all, or even most, of the evidence he has. He would not have been acting and talking as he has without holding something very important in reserve. Evidently he already had in his possession material evidence, or maybe another key witness, against Clay Shaw, when he claimed to have solved the case, and before Russo was heard from, and he plans to spring this surprise ace-in-the-hole at the forthcoming trial.

On February 24, Perry Russo called up newspaper and television reporters in Baton Rouge and told them he had read about Garrison's investigation and that he had known Ferrie well. He said he had visited Ferrie many times and knew him to be 'so obsessed with Kennedy' that he had sometimes talked of killing him.

Asked whether he had also known Lee Harvey Oswald, Russo replied 'no.' This answer was subsequently used by many Garrison critics to imply that Russo was a liar, for, at the preliminary examination of Clay Shaw, it turned out that Russo had attended one meeting with Ferrie and Shaw at which a man who called himself 'Leon Oswald' had also been present.

Immediately, Russo's detractors jumped to the conclusion that the young man had told a lie when he first disclaimed personal acquaintance with Lee Harvey Oswald. Actually, there are two different people involved here, as will be explained further on in some detail. 'Leon Oswald' was not Lee Harvey Oswald but an impostor who had impersonated Lee Harvey for the purpose of framing him later on.

According to some reports, it was Russo who, after being subpoenaed by Garrison's office, first put the finger on Clay Shaw, but this seems doubtful to me. George Lardner Jr. of *The Washington Post* is one of those who have been spreading this story, claiming that the identification of Clay Shaw as Clay Bertrand was carried out in 'gangster style' by Garrison's investigators.

Russo, according to this version, is supposed to have accompanied Garrison's men to the home of Clay Shaw in the French quarter of the city. He is said to have knocked on the door and, when Shaw came out, to have introduced himself as a salesman for an Omaha insurance company, ostensibly for the purpose of soliciting business, but in reality in order to identify Shaw as Bertrand.

This version presupposes that Russo not only knew that the man he had known as Clay ('Clem') Bertrand was Clay Shaw, *but also where he lived.*

Actually, there is nothing in Russo's testimony to suggest that he was aware of the real identity of the man he had met at Ferrie's apartment or that he had any idea of where he lived. Garrisons' office, therefore, must have had some knowledge of Shaw's involvement in the case, and of his whereabouts, before Perry Russo came into the picture.

The biggest hullabaloo was raised in the press over the fact that Russo, prior to the pretrial hearing of Shaw, had undergone sodium pentothal ('truth serum') tests and hypnosis at the request of the District Attorney. By dint of slanting and innuendo, the impression was created in the papers that Garrison thereby had indulged in unfair investigating tactics and prompting of his star witness and that he had been caught at it red-handed.

Two facts of crucial importance were ignored or side-stepped by Garrison's detractors : first, that these investigative aids—their use is widespread in America, even though their value is a matter of controversy—were applied by medical officers under Court supervision; and second, that Garrison at no time made the slightest effort to conceal the fact that Russo had been subjected to such tests. The Coroner of Orleans Parish, Dr. Nicholas Chetta, himself testified at the Shaw hearings, on March 17, that Russo had undergone hypnosis through the use of sodium pentothal on February 28 at Mercy Hospital; on March 2 in the office of Assistant District Attorney Charles Ward; and on March 12 in the Coroner's own office.

Dr. Chetta was followed on the stand by Dr. Esmond Fatter who testified that he had questioned Russo three times under hypnosis. Both these experts stated that hypnosis was effective in sharpening the memory of a witness and enabling him to recall past events.

The story Russo told in court, on March 14, was detailed, consistent and delivered in a calm, courteous voice. At no time was the witness confused or shaken by the deft attacks of chief defence counsel F. Irving Dymond, who was assisted by three other lawyers.

Dymond concentrated his efforts on showing that the witness was a mental case of sorts. For instance, he belaboured the issue of psychiatric treatment which the witness admittedly had undergone around 1960. Russo replied that he used to visit a psychiatrist during that period 'when I needed to talk to someone', adding that he had not seen one this year. He emphatically denied a suggestion by defence counsel that he had once attempted to commit suicide.

At one point, this exchange developed between Dymond and Russo :

LAWYER : Do you believe in God?

WITNESS : How do you define God?

LAWYER : Give us your own definition.

WITNESS : God is everything, the entity of the universe, me, you, everything.

LAWYER : You took an oath to tell the whole truth and nothing but the truth, and how do you define truth?

WITNESS : I think I would be telling the truth to the best as I knew it under penalty of the law.

LAWYER : Under penalty of God?

WITNESS : God is everything. He is you, me, everything. I consider my oath a promise to God, to myself, to everyone in this room.

At this point, presiding Judge Bernard J. Bagert cut off this line of questioning by drily commenting : 'This is not a catechism class. Let's move on out of this area.'

The gist of Russo's testimony was that he had known David Ferrie since 1960 and had frequently visited him in his apartment. On one such occasion, in mid-September 1963, he had gone there accompanied by his girl friend, Sandra Moffit. There was a party in progress, attended by some eight people. They included, beside the host, David Ferrie, an elderly, white-haired man of distinguished appearance whom he came to know as Clem Bertrand; a sloppily dressed, dirty and unshaven indi-

vidual who called himself 'Leon Oswald'; and two Cubans in battle fatigue dress who were introduced to him as 'Manuel' and 'Julian', in addition to Sandra and himself.

Russo had seen the young man who called himself Leon Oswald once before, in the summer of 1963, at Ferrie's apartment. He had watched him then, polishing a rifle with a telescopic sight mounted on it—one just like Lee Harvey Oswald's Carcano. He testified that the youth was surly and seemed 'antagonistic' towards him (Russo).

Russo had no more luck when he saw 'Oswald' again at the mid-September party in Ferrie's apartment. That night, all the others had drifted off, after a while and Sandra, too, had gone home, leaving Russo alone with Ferrie, Shaw and 'Oswald'. He overheard the latter saying to Ferrie 'what the hell is he (Russo) doing here?' Ferrie replied that Russo was all right, 'he doesn't know anything.' So Russo stayed on to become a witness at one of the most intriguing conspiratorial meetings in modern history.

At this juncture the question inevitably arises: Was Russo in on the plot to kill Kennedy which he was to describe in detail, three and a half years later, at the pre-trial examination of Clay Shaw?

He has denied it, of course, but in this matter some scepticism is warranted. Key witnesses for the State are often granted immunity by the prosecution and it would not be surprising, therefore, to learn at some later date that Russo had been somehow involved, though he may not have played an active part in it.

Russo's explanation of why he had failed to come forward earlier with his knowledge of the conspiratorial goings-on at Ferrie's apartment is not convincing either. 'I have never pushed myself on anybody,' he declared and added, somewhat airily, that with 'every screwball in the street' talking to the Warren Commission, he had felt he could do without such company.

Be that as it may, the story Russo had to tell about

what happened after the others had left the party sounded impressive, even to three judges—a fact always to keep in mind in considering the merits of the Garrison investigation.

David Ferrie, it seems, was the life of the party—when that party ceased to be a social affair and began to turn instead into a discussion of ways and means to assassinate the President of the United States. Vividly gesticulating as he spoke, Ferrie was holding forth on the need for more than one gunman in the assassination attempt, for such an attempt could be carried out successfully only through ‘triangulation of crossfire’: he discussed the ‘availability of exit’ and pointed out that ‘one of those there on the scene would be a kind of scapegoat—one had to be sacrificed’ in order to give the other gunmen time to escape. And, one of the snipers was to fire merely to attract attention, while the others were to place ‘the good shots’.

Escape was the main subject of conversation after Ferrie had concluded his blueprint of the assassination—one that was faithfully carried out, a few weeks later, in Dealey Plaza in Dallas. Ferrie declared himself in favour of a flight to Brazil with a refuelling stop in Mexico or—but this would have been riskier—a quick hop to Cuba. In this connection, it must be said that Ferrie, who had for years been training anti-Castro guerrillas can hardly have had in mind a flight to Havana, where he and his fellow-plotters would certainly not have been received with open arms. Perhaps he thought that he might find a niche in the Escambray mountains, where some anti-Castro guerrillas were active at the time, for subsequent evacuation by the CIA.

Bertrand didn’t like Ferrie’s ideas on the subject, Russo related. He thought the news of the assassination would spread too fast to permit a long flight. His objections were rudely interrupted by ‘Oswald’, who snarled at him: ‘Shut up and leave him alone—he’s the pilot’.

‘A washed-up pilot’, was Bertrand’s parting shot before retreating into dignified silence—a clear-cut allusion to

the fact that Ferrie, a few months earlier, had been dismissed from his job with Eastern Air Lines.

Later, a television interview Russo had given to a Baton Rouge station on February 24 was played in court. In it he quoted Ferrie as telling him, only a month before the assassination, 'We will get him (Kennedy), and it won't be very long.'

The climax of the hearing came when Garrison asked Russo whether the Bertrand he had met at Ferrie's apartment was in the courtroom. Without a word, the witness walked over to the place where Clay Shaw was sitting and held his right hand above the latter's head. Shaw did not flinch or protest.

In press accounts of the hearings, Russo was severely taken to task for his failure to tell reporters in Baton Rouge right away that he knew Oswald, while later acknowledging that he had met a person of that name at Ferrie's apartment.

Quite apart from the fact that a witness is under no obligation to tell newsmen everything he is going to testify about in court, the main issue here is that 'Leon Oswald' was *not* Lee Harvey Oswald at all. This capital fact, which was clearly brought out in the proceedings, has been simply ignored by the press. In all but a few of the published accounts, the issue is blurred to the point where hardly any reader would have been able to deduce that there were two different 'Oswalds' involved.

Take for example the way this important matter was presented in the above-cited *Time* story:

'Shaw's lawyers also noted that Russo said in the TV interview only last month that he did not know a Lee Harvey Oswald. Why had he changed his story? Simple. The "Leon" Oswald he met had a four-or five-day stubble. He had not connected "Leon" with "Lee Harvey" Oswald, he said, until the DA's office spent several hours drawing whiskers on photographs of Oswald. "We tried beard after beard," Russo said.'

This whiskers incident has been widely used in the slanted press accounts to ridicule Russo's testimony and

to make him appear an unreliable witness. Actually, what happened is this : After Russo had come forward to say that he had known Ferrie well, Garrison sent one of his aides, Assistant District Attorney Andrew L. ('Moo') Sciambra to Baton Rouge to interview the witness on February 25. Sciambra had various photos of Oswald with him which he showed to Russo. The latter denied, as he had done before, that he had ever met this man. Amidst the collection of Oswald pictures, always showing the clean-shaven, simply but neatly dressed young man Lee Harvey Oswald was, there was one of a person with almost identical features but who looked untidy and wore a several days' growth of beard.

At the sight of this photo, Russo immediately exclaimed : *'That's not Oswald, that's Ferrie's roommate.'*

In almost all press accounts, both in the United States and abroad, this key phrase, strikingly illuminating as it is, was omitted, leaving the reader puzzled and in the dark.

In further questioning of Russo, the fact that the man who called himself 'Leon Oswald' was not Lee Harvey Oswald, but looked very much like him was again brought out by one of Garrison's assistants; after Russo had been shown pictures of the real Oswald and had again disclaimed knowing this man, the assistant took a pencil and sketched a stubbly beard on one of the genuine Oswald pictures. The result amazed even Russo : yes, that was the way the man he had met at Ferrie's apartment looked.

All this was deliberately twisted around and distorted in the newspapers and magazines so as to make it appear that Russo had contradicted himself under oath on the key question of whether or not he knew Oswald.

But there *was* no contradiction. Russo never knew the real Lee Harvey Oswald, but he had known a bearded individual who called himself 'Leon Oswald' and who, minus his stubble, would have looked the spitting image of Lee Harvey. This was the False Oswald who played a

key role in the Kennedy drama, as I have shown in detail in *Oswald: The Truth*.

It is particularly worthy of note that a 'Leon Oswald' had already figured in testimony before the Warren Commission given by a Cuban woman named Sylvia Odio who lived in Dallas (see *Oswald: The Truth*, pp. 96-97. A man who used that name, and who was accompanied by two Cubans or Mexicans, had visited Mrs. Odio's home on September 26 or 27, 1963, and had later been quoted by one of his companions as advocating the assassination of President Kennedy. The Warren Commission established that Lee Harvey Oswald 'could not have been in Dallas on the evening of either September 26 or 27, 1963,' clearly indicating that 'Leon Oswald' was not Lee Harvey Oswald but somebody else.

The same issue of timing arose again during the Shaw hearings when Russo was asked when was the last time he had seen 'Leon Oswald' in Ferrie's apartment. 'End of September or middle of October,' he replied. Counsel for the defence promptly seized upon this reply to try and impugn the credibility of the witness. For, hadn't the Warren Report established that Oswald had not set foot in New Orleans after September 25, 1963?

The Warren Report? All three of the judges in the case agreed that it was inadmissible as evidence in judicial proceedings.

'If we are going to accept the Warren Report as factual, then we have wasted a week of time,' Judge Bagert declared near the end of the hearing.

Another judge, Mathew S. Braniff said of the Warren Report: 'It is fraught with hearsay and contradictions.'

'And that's putting it mildly,' Bagert commented.

A few days later, Judge Edward A. Haggerty Jr., who had been appointed to preside at the trial of Clay Shaw, also said the Warren Report could not be admitted as evidence at that trial.

He told a news conference in his office on March 25, 1967, that the main reason the Report could not be used was that neither the District Attorney nor the defence

would have a chance to cross-examine witnesses named by the Warren Commission.

'I don't have time to read the Warren Commission report,' the judge added, 'and I think it best that I don't read it. Possibly, subconsciously, I might prejudge the case because of it.'

Regardless of how one feels about the validity of the Warren Report—and no one could hold it in lower esteem than this writer—it is an established fact, nevertheless, that Lee Harvey Oswald never returned to New Orleans after September 25, 1963.

However, contrary to the opinion expressed by the lawyers for the defence, this fact does not show Russo up as a liar, but merely corroborates what has been said above and what must indeed be clear as day to anybody with an open mind who has studied the case: 'Leon Oswald' was not Lee Harvey Oswald.

The other witness at the pre-trial hearing, a twenty-nine-year-old Negro named Vernon Bundy, said he knew nothing of any conspiracy, but he once saw Shaw and Oswald together on the New Orleans lakefront (Lake Pontchartrain), in the summer of 1963. The two men were talking and eventually the witness saw the elder man handing the younger one a roll of banknotes. Bundy identified Oswald from pictures and pointed in the courtroom to Shaw as the man he had seen with him. He said he had gone to the lakefront to give himself a 'fix'. Why this fact of (former) addiction to narcotics should detract from Bundy's credibility is hard to see for any unbiased observer. 'Junkies' are generally perfectly lucid, especially before the injection, and their standards of veracity are not much different from those of the average person, except perhaps where heroin is concerned.

At any rate, the three judges were so impressed with the concurrent testimony of Russo and Bundy that they *unanimously* agreed that there was 'probable cause' a crime had been committed, as charged by the District Attorney, and decided to bind Clay Shaw over for trial.

On April 5, Clay Shaw was formally arraigned before

Judge Haggerty. He pleaded not guilty. The judge gave the defence thirty days in which to file motions and the state an additional thirty days to file answers to these motions.

While the judicial machinery began slowly grinding away, a spirited battle for or against Garrison got underway in the public prints and on the airwaves, with the odds weighted heavily against the maverick prosecutor. He held his own, though, and engaged his opponents in accordance with the old maxim that to attack constitutes the best defence.

Chapter 6

The CIA in the Dock

Even to those familiar with the subject, the Kennedy assassination at times appears to be a gigantic jigsaw puzzle. There are so many people involved, one way or another, and so many seemingly disparate events occur, that one is apt to shove the whole thing aside in disgust as a mystery that just can't be solved.

It is only when one has come to realise that the guiding hand behind it all was the Central Intelligence Agency that the myriad of pieces begin to fall into place and the blurred picture comes into focus.

Most seemingly inexplicable happenings in the world that have an important political effect are the work of intelligence agencies operating behind the scenes. Reduced to its simplest terms, the Kennedy Murder was staged by the CIA, with the complicity of key figures in the Dallas police, the FBI and the Secret Service (on the local level). Its principal purpose was—as District Attorney Jim Garrison has bluntly stated in a nationwide TV broadcast on July 15, 1967—‘to obtain a radical change in our foreign policy.’

How? By replacing Kennedy with the then Vice-President Lyndon B. Johnson. That is the self-evident, the only possible conclusion one can draw from this Garrison statement.

I had hinted at such a set-up as early as 1964 in my first book on the subject, *Oswald: Assassin or Fall Guy?*, and later developed this theme in detail in *Oswald: The Truth* and *Marina Oswald*, but of course I could do no more than draw logical conclusions from obvious premises which the whole world deliberately chose to ignore. My thoughts on the case were indignantly rejected by all observers, including the Warren Commission, as ‘wild speculation’, ‘irresponsible rumour-mongering’, ‘ghoulish

delight in the assassination' and so forth. Even severe critics of the Warren Report like Mark Lane in America and Professor Hugh Trevor-Roper in England took me to task for going too far, much too far. They couldn't conceive that such a solution to the mysterious 'Crime of the Century' was possible.

Since then, however, the step-by-step disclosures of the Garrison investigation have borne out to the hilt every essential assertion I have ever put forward about this case: that President Kennedy was killed in a crossfire, with the 'good shots' coming from the front, from the grassy knoll area; that Lee Harvey Oswald was only a fall-guy who had nothing to do with the shooting; that the CIA was behind the whole thing; and that the Warren Report was a 'fairy tale', as Garrison was to dub it in his TV broadcast of July 15.¹

For understandable reasons, Garrison has been slowly and cautiously approaching the subject of CIA involvement in the case. After all, he is an important official and the prestige of the United States is at stake in the matter. But Garrison, despite his evident initial hesitations, eventually rallied to my view that truth and justice are more important than considerations of national prestige. The CIA is now publicly in the dock, in the Garrison probe, and Judgment Day is not far away.

The first clear-cut indication that Garrison was going to implicate the CIA came when the New Orleans *States-Item*, on April 25, 1967, published a front-page article with the four-column bannerline: EVIDENCE LINKS CIA TO DA PROBE.

The story began as follows:

'Do the long tentacles of the Central Intelligence Agency reach deep into Dist. Atty. Jim Garrison's Kennedy death plot investigation?

'There is mounting evidence they do, and at least one

1. Part I of my German-language book *Die Wahrheit über den Kennedy-Mord* is entitled 'Das Märchen des Warren-Berichtes' (The Warren Report Is a Fairy Tale). The book was published in September 1966, before the start of the Garrison investigation.

Garrison probe figure intends to use CIA connections as part of his defence.

'Still others linked to the Garrison investigation have been named as acting for the super-secret espionage organisation—as informers, as couriers and munitions carriers.

'Even the investigation's pivotal figure fifty-four-year-old Clay L. Shaw, has had CIA connections attributed to him. Shaw, charged with complicity in Kennedy's death, was linked with the CIA by an influential Italian Newspaper...'

The paper then introduced a new character to the already crowded Kennedy murder scene, a man named Gordon Novel, and said of him that he had 'the strongest CIA ties'.

Novel was described as a twenty-nine-year-old one-time New Orleans bar owner and electronics expert who 'has told a number of friends and intimates he was a CIA operative and will use this role to battle Garrison's charges.'

What *direct* connection Gordon Novel is supposed to have had with the Kennedy murder is not immediately apparent from the *States-Item* story, nor has it as yet been stated publicly by Garrison—except that he considers Novel as an 'important material witness' in the case and wants to talk to him. The very first indication of this interest, in the form of a subpoena to appear before the New Orleans Grand Jury, on March 18, was enough for Novel to get out of town fast and flee to Ohio.

Garrison then tried the indirect tack, for he apparently was loath to reveal what he may already have known about Novel's involvement in the assassination plot, as he would have been required to do for purpose of extradition.

Instead, he charged Novel with conspiracy and burglary in a mysterious munitions theft which occurred about August 1, 1961. According to Garrison, Novel, Ferrie and a Cuban exile, forty-four-year-old Sergio

Arcacha Smith, formerly of New Orleans and now of Dallas, conspired to burglarise a bunker at an abandoned military base at Houma in Terrebonne Parish, not far from New Orleans. The bunker was leased by the Schlumberger Well Services Co. of Houston, Texas.

Novel, in a series of public statements, admitted the gist of these charges, but presented the matter in a different light. According to him, the munitions theft was no burglary at all but a war materials pick-up made at the direction of his CIA contact, for use in raiding operations against Cuba. In one of his press conferences, he called this murky affair 'the most patriotic burglary in history', only to be immediately shushed by his lawyer, Jerry Weiner.

Mystery shrouds the exact date of this operation, which was carried out by Novel, Ferrie, Arcacha Smith and several other Cubans. Not even Garrison knows the day, for all pertinent records have disappeared. According to Novel, it didn't happen at all after the Bay of Pigs, as Garrison claims, but some time *before* that disastrous CIA invasion attempt in Cuba.

The *States-Item*, in its story of April 25, gave the following details :

'On the day the munitions were picked up, he [Novel] says, he was called by his CIA contact and told to join a group which was ordered to transport munitions from the bunker to New Orleans. The key to the bunker, he says was provided.

'He says he made the trip in his own automobile, a Lincoln, and met several people there—all of them allegedly acting for the CIA. He identifies them as Ferrie, Arcacha, *and another figure in the case*. [This could be a covert reference to Clay Shaw, for under the trial guidelines laid down by Judge Haggerty, the paper would not be allowed to mention Shaw's name in discussing a possible crime—J.J.]

'They loaded the boxes of ordnance on trucks, he continues, and returned to New Orleans where the explosives were dropped in three spots—Ferrie's home, Novel's

office building and the office of a stormy former FBI agent and New Orleans police official, Guy Banister, who died of a heart attack in the summer of 1964.

'A friend of Banister's, a man whose word is considered reliable, told a reporter in New Orleans he saw fifty to a hundred boxes of munitions in Banister's Lafayette St. office early in 1961.

'Banister was a private detective then, operating a company called Guy Banister Associates. His friend said he saw the munitions in a store-room-office, in boxes marked with the name "Schlumberger".

'He says five or six of the boxes were open. Inside, he says, were rifle grenades, land mines and some "little missiles" of a kind he had never seen before. The friend said he remonstrated with Banister because "fooling with this kind of stuff could get you in trouble." He added :

'"Banister said no, it was all right, that he had approval from somebody. He said the stuff would just be there overnight, that somebody was supposed to pick it up. He said a bunch of fellows connected with the Cuban deal asked to leave it there overnight."

'Banister's friend said this happened well before the April Bay of Pigs invasion.

'The munitions, Novel says, were picked up and consolidated soon after the New Orleans drops. He says they eventually were taken by boat to Cuba for use in a diversionary operation stage in conjunction with the Bay of Pigs attack.

'Cuban sources in New Orleans say the cadre of Cubans trained by the CIA on the city's West Bank in 1961 was sent to Varacoa to make a diversionary assault. The attack did not come off because Castro militia was waiting and took the group prisoner.'

A typical CIA operation from beginning to end, which strikingly illuminates the environment in which Ferrie, Shaw and other suspects in Garrison's Kennedy death plot investigation were operating.

From the legal point of view, of course, this 'war materials pick-up' by CIA agents was nothing but an

ordinary burglary and it was on this ground that Garrison obtained warrants of arrest against Novel and Arcacha Smith. A long battle for extradition ensued which will be discussed in the following chapter.

Gordon Novel is a versatile CIA character. He also operated, by his own account, a so-called 'Evergreen Advertising Agency' as a front for CIA communications. Says the *States-Item* :

'With funds funnelled to him by the CIA, Novel says he prepared special radio commercials used on 300 stations in the U.S. and Canada. Their cryptographic messages, he claims, were to alert agents to the (Bay of Pigs) invasion date. The commercials advertised aluminum Christmas trees, he says, and the key alert code names were "Star Christmas Trees" and "Holiday Trees". In late 1960, \$72,000 worth of radio time was placed by the agency.'

One cannot help wondering what became of all the orders for Christmas trees that must have been pouring into the advertisers.

On May 5, the New Orleans *States-Item* came out with another spate of fascinating disclosures about CIA operations in that city.

OSWALD AGENT FOR CIA, DA WILL SEEK TO PROVE was the full-page banner-headline of this story. Underneath it, there was a rogues' gallery of pictures : Lee H. Oswald, David W. Ferrie, Guy Banister, Sergio Arcacha Smith, with the legend : 'All Linked to Central Intelligence Agency or anti-Castro activities.'

The most curious part of this front-page display, however, was the picture of a massive three-storey building standing on a street corner, with this caption :

'This weathered granite building at the corner of Camp and Lafayette Streets was spotlighted today by District Attorney Jim Garrison's Kennedy death plot investigation. It was both the headquarters of right wing anti-Castro activities and the address Lee Harvey Oswald

used on pamphlets he distributed here for the pro-Castro Fair Play for Cuba Committee. The arrow at right points to entrance at 531 Lafayette, the arrow at left to 544 Camp.'

A cosy set-up which the Warren Commission conspicuously overlooked. There through one door goes Lee Harvey Oswald, ex-'defector' to the Soviet Union and self-appointed chairman of a one-man 'Fair Play for Cuba Committee' (which I have characterised in all my books, starting with *Oswald: Assassin or Fall Guy?*, as a transparent CIA and FBI cover). Somewhere in that big building he turns out a stack of 'Hands off Cuba!' pamphlets which he then distributes right in front of Clay Shaw's International Trade Mart.

Through the other door of the same building moves a swarm of CIA agents and anti-Castro Cubans: Guy Banister and his partner Hugh Ward; David Ferrie and Clay Shaw; Sergio Arcacha Smith, who from this same building ran two anti-Castro organisations, one called 'Cuban Revolutionary Democratic Front', the other 'Crusade to Free Cuba'.

Oswald and these gentry could hardly have avoided bumping into each other daily in their common headquarters building. As a matter of fact, 'The DA's office is said to have questioned witnesses who reported seeing Oswald, Banister, Arcacha, and the late David W. Ferrie together in the building', the *States-Item* reports.

This is just another example of how carelessly, even stupidly, the CIA often operates, for all its murderous cunning. Putting Oswald and his 'committee' up in the building occupied by a host of easily identifiable CIA agents and anti-Castro Cubans was the height of folly. It took a Warren Commission to be fooled by such ineptitude.

The opening paragraphs of this story in the *States-Item* read:

'Dist. Atty. Jim Garrison's Kennedy death plot investigation will seek to show that accused presidential assassin Lee Harvey Oswald was not a Communist, but an under-

cover agent who aided the cause of anti-Castro Cubans here.

'The revelation came from informed sources today as additional evidence pointed increasingly toward a deep involvement of U.S. Central Intelligence Agency activities among certain principals in the DA's continuing inquiry.

'Garrison's investigation is said to have taken a definite trend toward what are believed to be indications that persons employed by the CIA were responsible for Kennedy's death.

'Sources close to the Garrison probe painted a picture of Oswald which was diametrically opposed to the one sketched by the Warren Commission.

'The Warren Commission . . . showed him (Oswald) as a confused, Communist-oriented young man who was driven to kill Kennedy by a deep need for public recognition.

'If Garrison's reported conclusions are proved correct, however, the Warren Commission would be refuted, not only by the existence of a plot but by Oswald's active participation in CIA-sponsored anti-Communist activities.

'His activities in behalf of the pro-Castro Fair Play for Cuba Committee here during the summer of 1963 are believed by the DA's office to have been no more than a cover for his real job as an operative who worked closely with militant anti-Communist Cuban groups . . .'

The *States-Item* again proved to have been well informed. The following day, May 6, Garrison for the first time openly attacked the CIA. In a formal statement, the District Attorney accused the CIA of having produced a 'fake photograph' when the Warren Commission asked for a picture of Oswald and a 'Cuban companion' leaving the Cuban embassy in Mexico City. He said the picture of Oswald and a burly Cuban was taken by a concealed camera operated by CIA agents.

'When the Warren Commission asked for photographs of Oswald and his companion,' Garrison declared, 'the

CIA presented the picture of a balding, stocky, middle-aged gentleman who obviously was neither Lee Oswald nor his companion.'

'During the Warren Commission testimony,' Garrison added, 'the director and deputy director of the CIA were very careful never to mention that they had produced the wrong picture.'

This fake photo, Garrison said, 'is now immortalised in the Warren Report as "Photograph of an Unidentified Man"'. (Commission Exhibit 237).

Fakery is, of course, one of the principal occupations of the CIA, along with espionage and murder. So is perjury, a grave instance of which was committed by the CIA official who palmed off this fake picture on the Warren Commission.

'The testimony which CIA authorities gave the Warren Commission necessarily must be taken with a grain of salt,' Garrison commented, putting things very mildly.

On May 10, Judge Bernard Bagert, at Garrison's request, signed a subpoena enjoining Richard Helms, director of the CIA, to appear before the New Orleans grand jury the following week to answer questions about the CIA's investigation of the Kennedy murder and to produce the genuine photo taken by his agents in front of the Cuban Embassy in Mexico City early in October 1963.

Helms simply ignored the subpoena and there was nothing the judge could do about it, for the CIA is practically above the law. If one can get away with murder, as the CIA literally does day in day out, it is no problem to get away with contempt of court.

Concurrently, the U.S. Department of Justice also defied the New Orleans authorities investigating the Kennedy death plot. After Garrison had obtained a subpoena directing Regis Kennedy, a key FBI man in New Orleans, to appear before the Grand Jury, U.S. Attorney Louis C. Lacour quickly moved to have the subpoena quashed on technical grounds. Garrison wanted to question Kennedy, who, along with former FBI agent Warren De Brueys, had been manipulating Oswald during his stay

in New Orleans, about Lee Harvey's undercover role with the anti-Castro Cuban forces. Kennedy had also been instrumental in obtaining the release of David Ferrie, after the latter had been turned over to the FBI by Garrison's investigators in November 1963.

'Obviously what is happening is that the federal agents involved are taking the Fifth Amendment,' Garrison commented on Regis Kennedy's refusal to testify before the Grand Jury.

'This isn't going to stop our investigation,' he added. 'There's no way in the world they can stop it. All they can do is slow it down.'

On May 8, the *States-Item* published an exclusive interview with Garrison that produced some exceptionally outspoken statements by the District Attorney about the Kennedy Murder cover-up jointly practised by the CIA and the FBI.

In this interview Garrison asserted that the two federal intelligence agencies had deliberately duped the Warren Commission by flooding its members with a gush of irrelevant information in order to obscure the truth. In spite of their detailed knowledge of Oswald and his associates in New Orleans, Garrison said, 'these agents have remained silent while none of Oswald's significant contacts were called before the Warren Commission. They remained silent while the men on the Warren Commission were presented an endless parade of trivia, from Oswald's grades in grammar school to a study of his hairs.'

What was conspicuously missing from the material presented to the Commission, Garrison pointed out, was any mention of significant evidence relating to 'active Cuban revolutionaries and to federal agents who had close contact with them.'

Despite his own running feud with the New Orleans press, Garrison stated :

'The recent *States-Item* article concerning Lee Oswald in New Orleans, his association with anti-Castro Cubans and the role of United States intelligence agencies in New Orleans in 1963 is essentially correct. Oswald's Fair Play

for Cuba actions in New Orleans constituted a *transparent sham*. These actions were designed as a cover, while he was in fact engaged in no Communist activity whatsoever. His associations here were exclusively—not merely frequently, but exclusively—with persons whose political orientation was anti-Castro, all of whom were plainly connected with federal agencies here.’

Of Oswald’s associates in New Orleans Garrison said that they were ‘involved in a variety of revolutionary activities, ranging from planning guerrilla strikes to procuring ammunition for smuggling into Cuba.’ These activities, Garrison charged, were carried out with the full knowledge and consent of the CIA and the FBI.

He also said : ‘Federal agents were in close proximity to and well aware of these activities. *They would positively—not just probably*—know of Oswald’s total involvement with these individuals engaged in anti-Castro planning and operations.’

All this throws glaring new light on the hypocritical, inhuman, indeed utterly indecent way in which Oswald was treated while in captivity. As I have always asserted, without, however, being able to adduce proof other than that available from circumstantial evidence and unbiased reasoning, the Dallas police and the federal agents who questioned Oswald in detention were perfectly well aware of his role as an undercover agent for the CIA and the FBI. They callously threw to the wolves a young man who had served them loyally, if somewhat ineptly, over a long period of time.

The treachery and ignominy of the CIA’s and the FBI’s conduct towards their own agent, Lee Harvey Oswald, is so monumental it will haunt the Washington Government till the end of time. It has laid bare, before the eyes of the whole world, a degree of moral degradation in official circles and of cynical contempt for the most elementary dictates of human decency unmatched since the days of Adolf Hitler.

District Attorney Garrison himself used strong words to castigate the guilty parties, not so much because they

used and abused Oswald beyond all tolerable limits, even in 'intelligence', but primarily because they helped to put over on the world the most vicious official hoax of all time, The Kennedy Murder Fraud. Garrison put it this way :

'The federal agents who concealed vital knowledge regarding President Kennedy's assassination, *and their superiors* who are now engaged in a dedicated effort to discredit and obstruct the gathering of evidence in the case, are *guilty of being accessaries after the fact to one of the cruellest murders in our history.*'

Being an accessary after the fact, in a case of murder, is a most serious crime. Where the assassination of a President of the United States is concerned, it is one of the gravest felonies in the book.

In another context, Garrison has vowed that he will relentlessly pursue *all* accessaries after the fact in the assassination of President Kennedy, no matter how high-placed and powerful they may be.

It is doubtful of course whether a lone district attorney is able to accomplish such a herculean task. Most of the top culprits are safely ensconced in Washington, far out of Garrison's jurisdiction and effective reach. They are, to all practical intents and purposes, immune.

Only Congress could act to bring these criminals to book and such a development, if it ever comes about, would seem to be far away in the future. For the present Congress is not just a 'do-nothing' one but one dedicated to the principle : Let them all get away with murder as long as they can—and the Devil take the hindmost.

An aroused public opinion also might be able to do the job, but the prospect that influential news media will ever throw their weight into the battle for truth and justice in the case is just as remote as the hope of action from Congress.

Besides, too many of the nation's leading editors have a personal stake in the perpetuation of The Kennedy Murder Fraud. They, too, have long since become accessaries after the fact, having through their own means

gained clear knowledge that the official version of the assassination is untrue and having contributed, through their silence, to the impunity which the real murderers of the President enjoy to this day.

Indeed, if Garrison, through some miracle, were able to make true his promise to bring *all* accessories after the fact to justice, he would have to arrest hundreds of prominent politicians, law-enforcement officers, lawyers, newsmen and so forth.

In a way, then, it is the very proportions of the crime which, in this case, makes the pursuit of justice impracticable and virtually grants immunity to all concerned. But they will be exposed, every one of them—and let them live with their consciences after that.

Garrison, however, seems undaunted by the terrifying dimensions of the job he has shouldered. He appears confident that he can win.

To be sure, he takes a more limited view of the range of responsibilities than I do. Whereas I have always held, and continue to hold that the Warren Commission is guilty, down to the last man, of deliberate fraud, Garrison inclines to the opinion that the Commission was duped by the FBI and the CIA and in consequence rendered an erroneous verdict.

He told the interviewers from the *States-Item*: 'It is my considered judgment that the members of the Warren Commission did not know that significant evidence was being withheld from them. I am sure that they did not know, for example, that a picture of Oswald at the Cuban embassy in Mexico City was kept hidden from them because his Cuban companion was a man who had worked for the CIA.'

That may be so and there may be—undoubtedly there are—other instances in which the Commission was bamboozled by the CIA and the FBI. However, a Commission, composed for the most part of well-trained lawyers, and with practically unlimited means of investigation at its disposal, must have been able to discern at least that the overall picture of the official version was false. The

fact alone that the Commission chose to disregard all contrary testimony, including that of most important material witnesses, proves its bad faith, as I have amply documented in *Oswald: The Truth*, I believe.

Garrison has thrown down the gauntlet, however, to the FBI and the CIA, without possible retreat. He wound up the interview with this remark :

'The arrogant, totalitarian efforts of these federal agencies to obstruct the discovery of the truth is a matter which I intend to bring to light when we have finished doing the job they should have done.'

Chapter 7

If They're Innocent—Why Do They Run?

Judging by the way the press has been acting in the case, editors throughout the world must have a soft spot for presidential assassins and their accomplices.

Not, to be sure, in the case of Lee Harvey Oswald, who was unanimously condemned and convicted in the public prints for a crime he never committed. But the New Orleans conspirators uncovered by Jim Garrison were all and sundry innocent *a priori* in the eyes of the press which fondly clasped them to its big heart.

Not one of the reporters, editors and commentators who have been bewailing the harsh fate of Clay Shaw, David Ferrie, Gordon Novel, Arcacha Smith and other lily-white victims of Garrison's inquisitorial mania, ever asked themselves the simple yet imperative question: If They're Innocent, Why Do They Run?

For, in striking contrast to the Dallas exhibition of unadulterated lynch justice, in which a pre-ordained 'suspect' was arrested without a shred of evidence, deprived of his constitutional rights, grilled in the absence of counsel and even without records and then murdered while in the custody of the police, the New Orleans proceedings have been, from the outset, orderly, law-abiding and strictly fair.

While Oswald never got within shouting distance of a lawyer, every one of Garrison's suspects, whether wealthy or poor, promptly found himself surrounded by whole batteries of high-priced attorneys with no questions asked about fees and plenty of defence funds available for bond and other legal expenses. And, in most cases, the lawyers' first piece of advice has been: Get out of town, fast, and go into hiding!

A corner of the veil shrouding this massive rescue operation was lifted on May 11 when Garrison, in answer

to reporters' questions outside the Orleans Parish Grand Jury room flatly stated that the Central Intelligence Agency was picking up the tab for key figures in his Kennedy death plot investigation.

'Naturally, they (the CIA) are paying lawyers involved,' he said. 'There's no question about that.'

The District Attorney specifically named Burton Klein, counsel for the (currently penniless) Alvin Beauboeuf, David Ferrie's former room-mate and 'boy friend'; Steven Plotkin, one of several attorneys representing Gordon Novel; and, by implication, Lex Hawkins, a prominent lawyer-politician in Omaha, Nebraska, who had taken the former Sandra Moffit under his wings, as recipients of CIA funds and assistance.

'We have reason to believe that Mr. Klein has recently been to Washington, D.C.,' Garrison said. Klein, naturally, opposed an indignant denial (they are a 'must' and absolutely routine in all cases affecting the CIA): 'I emphatically deny the statement made by Mr. Garrison that I contacted the CIA or spoke to anyone acting for that organisation.'

Let it be noted, in passing, that a brother of Burton Klein was active, alongside of the notorious CIA agents Guy Banister and David Ferrie, in setting up one of the Cuban exile organisations which operated out of that famous building on Lafayette and Camp Streets in New Orleans. The CIA blood, then, seems to run in the family.

Of lawyer Steven Plotkin, Garrison said explicitly: 'We know that Mr. Plotkin has been receiving money, if only through an intermediary, from the CIA.' Of course, Plotkin, too, denied this.

Gordon Novel, the client of Steven Plotkin and Jerry Weiner, has been a fugitive from justice since he made a brief appearance before the Orleans Grand Jury on March 16. Told to come back in a few days for more questioning, Novel instead skipped town and took refuge in Columbus, Ohio; there he was picked up by police on April 1, in suburban Gahanna.

Novel's importance as a material witness is highlighted

by the fact that New Orleans Judge Matthew Braniff had required him to post a \$50,000 bond—five times the amount Clay Shaw had to put up—or be arrested as a fugitive from justice. In Columbus, however, Novel was released on a \$10,000 bond, pending extradition proceedings.

On his way north, Novel made a stopover at McLean, Va., a Washington suburb best known for the fact that the huge CIA headquarters is located there. He then betook himself to the office of a 'private detective' named Lloyd Furr for the purpose of taking a 'lie detector test', very privately indeed. The outcome of the 'test' was a foregone conclusion. Novel 'passed' it with flying colours. 'He showed no deceptions,' Mr. Furr solemnly announced.

Through the office of Governor John J. McKeithen, the New Orleans authorities promptly but unsuccessfully requested extradition of Novel from Ohio Governor James A. Rhodes. With the CIA holding a protective hand over the fugitive, Rhodes found enough loopholes in technicalities to delay extradition until Novel on July 3 was set free by Judge William Gillie in the Columbus Municipal Court. At press conferences in that city, Novel made two remarkable disclosures :

1—That he had actually been back to New Orleans since the extradition fight started. He said he flew into New Orleans from New York, picked up his automobile, a shining white Lincoln, and drove back to Ohio. No one noticed him, he said, because he came in dressed as a priest, wearing a bowler, dark glasses and smoking a cigar.

2—That he had been on the payroll of the National Broadcasting Company from February 1, 1967 through April 1, helping the network gather information and material for the programme it put on the air in June (see Chapter 11).

Asked why he hadn't participated in the NBC show—excuse me, 'documentary'—itself, Novel candidly stated the reason : the network wanted to preface its pro-

gramme by saying that none of the witnesses interviewed had been paid.

While Novel was fighting extradition proceedings from his safe hideout in Ohio, more trouble was piling up for him on the home front, unrelated to the assassination.

Novel had been part owner, along with four other licensees, of the 'Jamaican Villiage Inn', at 800 N. Rampart in New Orleans. On the night of August 2, police raided the establishment and found two waitresses in topless attire serving drinks. They were arrested and booked with obscenity. The following day, Civil District Court Judge S. Sanford Levy issued an injunction 'enjoining and restraining' the operators of the Jamaican Village Inn 'from permitting females on the premises with bare breasts until further orders of this court.'

Meanwhile the versatile and talkative Novel had had other adventures. On May 22, while in Nashville, Tenn., a TV news wagon in which Novel allegedly was sitting was hit by a volley of shots fired from behind a hedge in front of the apartment of Gary Edwards, news director of station WKDA. First reports indicated that Novel had suffered a minor shoulder wound, but nothing more was heard of the matter. In New Orleans, District Attorney Garrison dismissed the story as a hoax.

And, on May 24, lawyers for Gordon Novel filed in the federal court in New Orleans a \$10 million damage suit against Garrison, alleging that the District Attorney had falsely charged Mr. Novel with being a material witness in his Kennedy death plot investigation, and thereby damaged his reputation. For good measure, the damage suit also claimed one million dollars from each member of 'Truth or Consequences, Inc.' the group of financial backers supporting the Garrison investigation. As this organisation is believed to have about fifty members, Novel apparently hopes to collect around \$60 million in 'damages'.

Garrison had no more luck with his request to Governor John Connally of Texas for the extradition of Sergio Arcacha Smith. As has been mentioned before, the warrant for the arrest of Arcacha Smith was issued

ostensibly for his participation in the Houma Bunker munitions theft, but, as in the case of Novel, the real reason was that Garrison wanted to talk to the Cuban exile about the assassination plot.

Arcacha Smith, in Dallas since 1962, was arrested on April 3, only to be released immediately against a modest bond of 1,500 dollars. When Garrison sent some of his investigators to Dallas, Arcacha Smith refused to talk to them unless Assistant District Attorney Alexander, top aide to Henry Wade and one of the chief architects of the Oswald Hoax, were present at the hearings. Garrison's men had no desire to let Alexander in on what they wanted to hear from Arcacha Smith and had to leave with empty hands.

As Governor Connally refused to sign the warrant of extradition within the specific ninety days required by law, Arcacha Smith was officially released from extradition proceedings on July 5. As though this legal chicanery had vindicated his client, Arcacha's lawyer, Frank P. Hernandez, promptly threatened to sue Garrison and his backers because, as he put it, his client's 'reputation has been stained forever both here and in other parts of the world.'

Arcacha himself adopted a threatening posture. On a television programme in Dallas, he vowed to 'destroy' Jim Garrison. Such a threat normally carries a two to five year prison term, but Dallas District Attorney Wade simply ignored it. Few people, of course, have a bigger personal stake in the perpetuation of the Kennedy Murder Fraud than the ineffable Wade (for details, see *Oswald: The Truth*).

Another important witness who sought refuge in foreign parts was Perry Russo's former girl friend, Sandra Moffit. From all indications, she was not really involved in anything, or not seriously anyway. District Attorney Garrison, however, wanted to talk to the young woman, now Mrs. McMaines the wife of an obscure minister in Omaha (later Des Moines, Iowa), apparently to see whether she would confirm Russo's presence at that

meeting in Ferrie's apartment in mid-September 1963.

Sandra balked at a subpoena directing her to testify before the Grand Jury in New Orleans, with the result that a warrant for her arrest was issued. Although Judge Haggerty had fixed her bond at \$5,000, she was released on a \$1,000 bond.

Like all the other reluctant witnesses Garrison sought to question, Mrs. McMaines preferred to tell her story to the press rather than to a grand jury. She told reporters that she had indeed been a good friend of Perry Russo, whom she had once loved, but that she had not accompanied him to Ferrie's apartment. Besides, she added, she hadn't even met David Ferrie until some time in 1965.

If that story is true, it is hard to see why the young woman would refuse to tell it to a grand jury. There is nothing to incriminate her in a past friendship with Russo and there is nothing wrong with her having known Ferrie two years after the assassination.

Actually, the very fact that Mrs. McMaines stubbornly refuses to testify under oath is a strong indication that her story would not hold up in a courtroom. Evidently she—or whoever is prompting her—fears a confrontation with Perry Russo under penalty of perjury.

On May 11, Garrison stated: 'We know that Sandra Moffit, up in Iowa, who has no money, is represented by the chairman of a thirteen-state regional Democratic organisation.' He identified this important and influential personality as Lex Hawkins, currently leader of the Midwest Democratic Chairmen's Association. He did not need to add that only a trusted backer of the Administration could hold such a post for any length of time.

Significantly, as the date for Clay Shaw's trial approached, his lawyers were to ask permission for depositions made by Mrs. McMaines to be allowed in evidence. The judge quite rightly refused on the grounds that the criminal law contained no precedent for such a move. It was an obvious attempt to introduce hearsay into the proceedings and thus enable Miss Moffit to avoid embarrassing cross-examination.

Chapter 8

Oswald: A Decoy, a Patsy, a Victim

Of all the critics of the Warren Report, none has come up with a better description of that pseudo-historic document than the one Garrison gave to James Phelan of the *Saturday Evening Post* (May 6, 1967) :

'What they did on the Warren Commission was send a hundred squirrels out to pick up leaves, acorns and sticks. Each squirrel brought something in and dumped it in a box. Then the head squirrels looked at this collection of junk and tried to reconstruct the terrain where it had been picked up.'

This is exactly what happened. The Warren Report is full of irrelevant material, trivia, hearsay, scientific abracadabra, sideshow technicalities and just about everything except hard and fast evidence. The Commission convicted Oswald without a shred of the kind of evidence that would stand up in a court of law, under cross-examination.

It is a sad commentary indeed on the limitless gullibility of the American public and the unbelievably low standards of reporting and enquiry to which the American press has sunk that such hair-raising nonsense as the Warren Commission produced could be accepted as gospel truth by 200 million people, with scarcely a word of protest or dissent.

And it is even more shocking that, when the truth finally came out, the only noticeable reaction was a nationwide consensus to suppress it by any and all means at hand. Because '200 million Americans can't be wrong,' there was an instantaneous, unanimous resolve among the opinion-makers not to right the wrong even after it had been glaringly exposed.

As has been mentioned before, District Attorney Garrison as early as February 23 had publicly stated his

belief that Lee Harvey Oswald did not kill President Kennedy. A few days later he amplified this statement by adding that Oswald had not killed Patrolman Tippit either.

Nobody paid any attention to these declarations which even went unreported in wide sections of the press. What should have been, by all normal standards of journalism, tremendous 'bombshells' turned out to be duds.

It was not until several months later that Garrison finally managed to get a hearing for his repeated contention that Oswald was no assassin but merely a scapegoat sacrificed by the real plotters.

On the evening of May 21, 1967, Garrison gave a local television station in New Orleans a long interview in which he for the first time laid some of his cards on the table—others were still kept firmly clasped to his chest. The calm conviction of his statements and the previously unknown details he gave impressed the Associated Press sufficiently for it to send out a long dispatch about this interview.

There was only one thing wrong with that dispatch : it didn't get into the papers. With very few exceptions, editors killed it—even those who normally take almost anything AP has to offer. Not only in America, but also in England and on the Continent, this revealing dispatch was almost totally ignored. That's why it is doubly important to quote from it at length :

Datelined New Orleans, Louisiana, May 22, this AP dispatch said :

'District Attorney Jim Garrison said Sunday night Lee Harvey Oswald did not kill President John F. Kennedy and charged that the Central Intelligence Agency (CIA) "through devious ways and through intermediaries is actually paying lawyers to block the completion" of his investigation of the presidential assassination.

'Garrison, who began his own probe last fall of the Nov. 22, 1963, slaying in Dallas, Texas, of Kennedy, said the CIA is guilty of a "criminal act".

“And if the director of the CIA and the top officials of the CIA were in the jurisdiction of Louisiana, I would charge them without hesitation,” Garrison said in an interview with newsman Bob Jones on WWL-TV of New Orleans. The station presented an hour-long documentary on Garrison’s investigation Sunday night.

“The flamboyant Garrison, this city’s unorthodox prosecutor for six years, told Jones he would include CIA director Richard Helms “because he has to know what he’s doing...”

“The Central Intelligence Agency began its criminal activities in my judgment,” Garrison said, “immediately after the assassination when they failed to reveal to the Federal Bureau of Investigation in its entirety what its activities were in New Orleans when Lee Oswald was working for it and it’s compounded them since by essentially criminal activities by making every possible effort to block our investigation.”

It must be something of a novelty in the annals of secret service that the official intelligence agency of a country is publicly indicted by a high-placed law-enforcement officer of that same country for ‘essentially criminal activities.’

As the Central Intelligence Agency is an arm of the U.S. Government, and its director is a member of the Cabinet, this is tantamount to saying that the Government itself is acting criminally.

‘Asked if Oswald fired the fatal shots in Dallas,’ the dispatch went on to say, Garrison replied :

“No, Lee Harvey Oswald did not even shoot President Kennedy. He did not fire a shot from the Book Depository Building . . . He did not touch a gun on that day. He was a decoy at first. And then he was a patsy and then he was a victim.”

‘This is how Garrison answered the next question about who did kill the President :

“Oh I can say who did without any question, and we know the group and we know some of the names of the group. But we don’t know which one was standing where

and we can't find out with the CIA keeping its vaults locked.

"*They were former employees of the CIA. We managed to get the names of some of them in a way I can't describe here, but we cannot find out through any government agency where they are located now . . . and we have a stone wall there as far as the identification of the other individuals.*

"But I can say the rest of them are Cubans who were training in New Orleans."

Like everything else in the case, this statement by Garrison was twisted around in the press where it was mentioned or referred to at all. Later press accounts in various countries tended to create the impression that Garrison was blaming Cubans and Cubans alone for the assassination.

That is not true. His remark, 'But I can say *the rest of them are Cubans*,' clearly indicates that the principals in the action were Americans.

'Garrison said his investigation is now "moving at a snail's pace," but quickly added, "it isn't that fatal a problem for us because the essential elements we have clarified a long time ago.

"I don't believe they can stop us. They can just delay us."

A little later, the AP put out the following addenda to the foregoing story:

'District Attorney Garrison said . . . the Central Intelligence Agency "knows the name of every man involved (in the assassination) and the names of the individuals who pulled the triggers from the grassy knoll and the stonewall area."' And:

'Garrison said his investigation has been successful.

"We have learned what happened. We have located photographs in which we have found the men behind the grassy knoll and stonewall before they dropped completely out of sight.

"There were five of them," he said. "Three behind the stonewall and two behind the grassy knoll."

The New York Times ('All the News That's Fit to Print') finally got around to mentioning this interview in a story published on June 28, in connection with the Columbia Broadcasting System's series on the Warren Report and its critics.

Under the heading 'Garrison Labels Oswald a "Decoy",' the *Times* reported: 'District Attorney Jim Garrison of New Orleans contends that Lee Harvey Oswald was set up by the real assassins as a "decoy" with the hope that he would be killed by angry Dallas policemen.

'The theory by Mr. Garrison . . . was broadcast last night by the Columbia Broadcasting System . . .

'In a telecast on May 21, Mr. Garrison said that Oswald "did not even touch a gun" on November 22, 1963, when the President was killed. Instead the District Attorney contended, the assassins were five anti-Castro Cubans angered over the failure of the Bay of Pigs invasion. [This is incorrect, as I have pointed out above—J.J.]

'In the latest CBS interview by Mike Wallace, which the network said was filmed in New York June 15, Mr. Garrison contended that the conspirators arranged the murder of Dallas Patrolman J. D. Tippit in a scheme "to get rid of the decoy in the case, Lee Oswald." The Warren Report held that Oswald also killed the policeman.

'"So that he (Oswald) would not later describe the people involved in this," Mr. Garrison said, "they had what I think was a rather clever plan. It's well known that police officers react violently to the murder of a police officer.

'"All they did," he continued, "was arrange for an officer to be sent out to Tenth Street, and when Officer Tippit arrived there, he was murdered. Oswald was pointed to, sitting in the back of the Texas Theater, where he had been told to wait.

'"Notification is gotten to the police of a suspicious man at the back of the theater. And you know the rest. The Dallas police, apparently—at least the arresting police officers—had more humanity in them than the

planners had in mind, and this was the first point at which the plan did not work completely.

“So Oswald was not killed there, he was arrested. This left a problem. Because if Lee Oswald stayed alive long enough, obviously he would name names, and talk about this thing that he had been drawn into. It was necessary to kill him.”

“That’s where Jack Ruby comes into the picture?” Mr. Wallace asked . . .

“That’s right,” Mr. Garrison replied. “It was necessary for one of the people involved to kill him.”

I don’t quite agree with Mr. Garrison here. I feel satisfied that the arresting officers at the Texas Theater, far from having any shred of humanity in their hearts, arrested Oswald according to a preconceived plan. I also feel sure that Tippit wasn’t picked out to be sent to Tenth Street by chance, but that he was deeply involved himself in the conspiracy. He was certainly killed by one of the plotters, as Garrison thinks too, but I believe that he was liquidated—with the knowledge and approval of his superiors in the Dallas police—because he knew too much.

All this is thoroughly discussed and, I believe I can say, thoroughly substantiated by the evidence in *Oswald: The Truth* (Part II—The Case Against the Dallas Police).

I am also of the opinion that the arresting officers, having picked up the revolver with which Tippit had been slain from the hands of the real murderer, a fellow-plotter, carried it to the Texas Theater and forced it into Oswald’s hands to get his fingerprints on it.

Indeed, this is the most conspicuous flaw in Garrison’s theory on the Texas Theater incident: If Oswald was innocent, as he says, and as I also believe, and the police arrested him at the movie in the manner Garrison says, how then did the murder weapon get into Oswald’s hands?

However, this difference of opinion concerns merely a number of details without cardinal importance. On all

essential issues, I completely agree with Mr. Garrison's presentation of the case.

Perhaps one more reservation is in order.

Garrison says the five killers were 'former' employees of the CIA. Was it not a matter of course that they would not have been kept on the CIA pay-roll after killing the President of the United States? And, is it conceivable that these men would have dared to commit such a deed without at least the implicit sanction of their 'former' employer? Does not the fact that the CIA, in Garrison's own words, began its criminal activities immediately after the assassination, in shielding the assassins, as it did, with all its power, clearly also bespeak a CIA involvement in the plot itself?

Why should the CIA, an important arm of the federal government, want to shield the murderers of the President if the agency were not directly involved itself?

Chapter 9

Counter-attack from Washington

I

Hugh Aynesworth and a Newsweek Smear

In the initial phase of the Garrison investigation, Washington and the faceless press which takes its cue from 'informed sources' there had been content to ridicule 'Big Jim' as an inordinately ambitious politician and vain publicity-seeker with an ego even bigger than his oversize boots.

When Garrison put the CIA in the dock, however, the tone changed. Nobody gets away with attacking the most sacrosanct of America's sacred cows. Moreover, a former FBI man impugning the integrity of that other symbol of American righteousness, J. Edgar Hoover, was practically guilty of high treason.

So the word went out that the time had come to 'destroy' Garrison, and all the toadies, of which there are more in Washington to the square mile than anywhere else in the world, rushed into action.

This new and savage mood of officialdom first found expression in a regular 'hatchet job' performed by *Newsweek* magazine in its issue of May 15, 1967, entitled '*The JFK "Conspiracy"*'.

Like other so-called news magazines, *Newsweek* seldom publishes signed articles, except from its regular columnists. In this particular case, however, Hugh Aynesworth, a man whose byline had never before appeared in *Newsweek*, and who did not even belong to its regular staff, was given top honours for a lousy piece of journalism.

Newsweek described its new find as 'a veteran reporter, who covered the assassination and its aftermath' and stated that he had been sent to New Orleans by the editors for five weeks.

Who is 'veteran reporter' Hugh Aynesworth?

Penn Jones Jr., the courageous and knowledgeable Texas editor, who alone stood up where all the others cringed (for details, see *Oswald: The Truth*), wrote in his small-town paper *The Midlothian Mirror* on June 22, 1967:

'At the time President Kennedy was killed, Aynesworth was the darling right-wing reporter of the *Dallas Morning News*. He covered the assassination, and was at all the important sites within minutes after each event. Aynesworth has boasted that he knows more than anyone about the assassination, yet he did not testify before the Warren Commission . . .

'Aynesworth covered the Ruby murder trial, and about this time moved into a position of unofficial leak for the Warren Commission. Choice bits of information came to Aynesworth as rewards to both him and the *Dallas News*.

'Aynesworth allegedly was chosen to be the person to handle the sale of the famed Oswald diary to the News.' (Not only 'allegedly'; the Oswald diary was later published under Aynesworth's byline. For contents of this CIA-edited pseudo-document, see my book *Marina Oswald—J.J.*) 'Early in 1964 the Warren Commission managed to get the document to Assistant Attorney William F. Alexander who then negotiated until he was sure of obtaining the maximum sum for its sale. Alexander sold to *The News* for a sum above \$50,000. Then Alexander left Dallas immediately for a vacation in New Orleans.'

The Alexander here referred to is the top aide to the Dallas District Attorney Henry Wade. Between them, these two worthies concocted the judicial part of the frame-up of Lee Harvey Oswald. Then, as we now learn, they peddled a phony document which was, however, the literary property of the murdered victim, Oswald, to the highest bidder. In *Marina Oswald*, other examples of this crass and sordid commercialism involving police sources in Dallas will be found.

Penn Jones Jr., continues: 'Aynesworth probably did

have some insights to the assassination not privileged to other reporters. For about a month he was a close associate of Marina Oswald.

'Soon after the Ruby trial Aynesworth left the *News* for his own public relations firm. Then he moved to *Newsweek* Magazine where as a self-pronounced expert he has a greater territory to misrepresent the assassination story. So we hope our readers will understand the regret we feel that such a small man has such a large magazine audience.'

In the large volume of fan mail which I received after the publication of *Oswald: Assassin or Fall Guy?* there was a letter from a Mrs. Shirley Martin, Hominy, Oklahoma, who has since received wide recognition as one of the most tireless investigators of the Kennedy assassination within a group humorously known as 'the housewives' underground'. Mrs. Martin wrote in this letter dated July 6, 1964 :

'In a recent telephone conversation with *Dallas Morning News* reporter, Hugh Aynesworth (*which conversation I was able to tape*) he said as follows : He (Aynesworth) was standing at the foot of the Texas School Book Depository at approximately 1 p.m. when he heard a police car radio blare forth the information that a policeman had just been reported killed in the Oak Cliff area. Mr. Aynesworth says he immediately conjectured that the killing of the policeman had a bearing on the assassination. He ran to the police car and, because he is a friend of all Dallas policemen, was taken with them to the murder scene at East 10th and Patton. I asked Mr. Aynesworth *when* he got to the scene, what exact time? Mr. Aynesworth, who indicated he was in one of the first cars to arrive, set the time exactly : "At 1.05," he said. "Not later than 1.10."'

In a subsequent letter, dated October 29, 1964, Mrs. Martin added the following details :

'... It has intrigued me that Aynesworth was so convinced in his conversation with me that Tippit had been killed around 1 p.m. Aynesworth is extraordinarily proud

of the fact that he is the only reporter in the United States to have been at all four major scenes (the assassination, the Tippit killing immediately after, the arrest of Oswald in the Texas Theater, and the murder of Oswald in the police basement). When I praised Mr. Aynesworth for this and suggested that perhaps he should have been considered for the Pulitzer Prize (rather than Mr. Smith whom Mr. Aynesworth claims does not deserve the prize as another Dallas reporter did all his, Smith's, writing for him), Mr. Aynesworth modestly admitted to an oversight on the part of the committee, but continued to speak at great length over his four unique experiences. When I asked Aynesworth how and when he first heard about Tippit, he replied :

“I was standing near the Texas Book Building, all the other reporters had gone to Parkland (Hospital), but I felt a story was breaking near the building, when I heard a squad radio blast out that a policeman had been shot in Oak Cliff. This was around one o'clock. I ran to the car and went with it to Patton and tenth. I had a hunch that the policeman's murder was tied in with the assassination. I got to the Tenth Street area about 1.05, not later than 1.10 p.m.” ...’

If Aynesworth, by all accounts a great friend of the Dallas police, ‘felt a story was breaking near the (TSBD) building’, while all the other newsmen had followed the dying President to Parkland Hospital, one may take it for granted that he had been tipped off by one of his police pals to stand by, for something important that was about to happen. Aynesworth's instantaneous ‘hunch’ that the policeman's murder was somehow tied in with the assassination points in the same direction. And the fact that he got a ride in a police car not only to the Tippit slaying scene but also from there straightaway to the Texas Theater, although—as I have demonstrated in *Oswald: The Truth*, there was nothing to connect these two events, unless the police knew well before they were alerted that Oswald was going to be at that movie,

strongly suggests that Aynesworth was privy to the frame-up plot.

But even if this could not be proved against him in a court of law, Aynesworth definitely has convicted himself as an accessory after the fact in the Kennedy assassination. The taped account of his conversation with Mrs. Martin shows that Aynesworth *knew* that the Warren Commission was wrong in fixing the time of the Tippit killing at 1.15 p.m.

Now, the time element in the Tippit slaying is a matter of cardinal importance. If this murder happened only a few minutes earlier than 1.15—and Aynesworth's taped story shows that it must have occurred before 1.10 p.m.—then Oswald cannot have been the killer, for he could not possibly have covered the distance from his rooming-house to the Tippit slaying site in less than the scant twelve minutes arbitrarily allotted by the Commission for this. (For further details, see *Oswald: The Truth*; Chapter 20, 'The Tippit Murder Hoax'.)

Any evidence to the effect that Tippit was killed several minutes before 1.16 p.m., the time set for his death by the Warren Commission without any proof, exonerates Oswald and, by the same token, proves that he was the victim of a police frame-up. And, if the Tippit Murder is proved a fraud, the official version of the Kennedy assassination, which is tied closely to it, goes the same way.

Therefore, Aynesworth, by concealing his own, definite knowledge that Tippit was slain before 1.10 p.m., has made himself an accessory after the fact, thus committing a grave crime.

This characterisation of Hugh Aynesworth would not be complete without the following quotations from Mark Lake's *Rush to Judgment* :

'I traveled to Dallas at the beginning of 1964 and there met Hugh Aynesworth, a reporter for the *Dallas Morning News*, who gave me photostated copies of a number of original affidavits. These documents, prepared by the Dallas police ...'

So that's where they came from! I had always wondered how on earth Mark Lane had managed to break into the secret of the Dallas police files. A lot of other people must have been wondering, too. Most of all, probably, Dallas Police Chief Jesse E. Curry.

The photostats purloined from the Dallas police archives by their trusted friend Hugh Aynesworth and passed on to a declared foe of the Dallas police, Mark Lane, constituted the first big break in the battle for the truth about the Oswald case. They included, among others, an affidavit signed by Deputy Constable Seymour Weitzman, which proved that the Dallas police had lied when they claimed to have found Oswald's rifle on the fifth floor of the Texas School Book Depository (for details, see *Oswald: The Truth*, Chapter 16, 'Switching rifles', where this affidavit is also reproduced); and the affidavit by Helen Markham stating that the time she had seen Tippit being shot was just after 1.06 p.m.

The Markham affidavit bears out Aynesworth's own observations about the time Tippit was really killed—well before the 1.16 p.m. set by the Warren Commission—and, by the same token, aggravates his crime in withholding this vital piece of evidence, for he was the first to lay hands on it. It is self-evident, then, that Aynesworth has been carrying water on both shoulders and cashing in on information distributed by him to both sides.

If Hugh Aynesworth left the *Dallas Morning News* shortly after the Ruby trial, as Penn Jones Jr. indicates, the most likely reason was that by that time his bosses at the *News* had gotten wind of his betrayal of police secrets to Mark Lane—secrets hot enough to blow the whole Oswald Hoax sky-high. For, in the summer of 1964 Mark Lane had already displayed some of these affidavits publicly and the Weitzman and Markham evidence had already been discussed in my book *Oswald: Assassin or Fall Guy?* Undoubtedly there followed a police investigation of this embarrassing leak which must eventually have led to Aynesworth.

This, then, is the 'authority' for the most vicious and mendacious smear ever to appear in *Newsweek*. The story began with these words :

'Jim Garrison is right. There has been a conspiracy in New Orleans—but it is a plot of Garrison's own making. It is a scheme to concoct a fantastic "solution" to the death of John F. Kennedy, and to make it stick; in this cause, the district attorney and his staff have been indirect parties to the death of one man and have humiliated, harassed and financially gutted several others.'

Ponder the implications of this opening shot. The district attorney of one of America's major cities is here accused of conspiracy, not just to pervert the course of justice in a pending case, but conspiracy to implicate several innocent people in a non-existent crime he has cooked up out of his own fancy. In the process, he has caused the death of one person (the reference is to the lily-white David Ferrie) and has 'humiliated, harassed and financially gutted' several others.

If there were an iota of truth in these allegations, Garrison certainly would deserve to go to jail; if there is no truth in them—there isn't—Aynesworth deserves to go to jail on charges of criminal libel.

'I have evidence,' Aynesworth writes, 'that one of the strapping D.A.'s investigators offered an unwilling "witness" \$3,000 and a job with an airline—if only he would "fill in the facts" of an alleged meeting to plot the death of the President. I also know that when the D.A.'s office learned that this entire bribery attempt had been tape-recorded, two of Garrison's men returned to the "witness" and, he says, threatened him with physical harm.'

These are serious charges. Aynesworth 'has evidence' that the office of the district attorney tried to 'bribe' a witness and, on learning that their attempt had been tape-recorded, had threatened him with violence—'he says.'

Who was this poor, guileless victim of persecution in New Orleans?

Aynesworth introduces him to his readers in these words :

'Less than a week before Shaw's pre-trial hearing, two investigators from Garrison's office visited an unemployed young man named Alvin Beauboeuf at his New Orleans home. They told the twenty-one-year-old they had 'influence' and could help Beauboeuf get a job with an airline if only he would help them substantiate the alleged plot.'

There you have it : Jim Garrison, that miscreant, has spun a conspiracy yarn out of whole cloth to further his political career and get publicity. Now he needs witnesses to bolster his tale, so what does he do? He sends out a couple of his yes-men and they pick out of the gutter the first jobless boy they chance to come upon and attempt to cajole and bully him into serving as a false witness to Garrison's outrageous inventions.

Isn't that the impression any uninformed reader of the magazine that once boasted the editorial slogan 'An informed public is America's greatest security' must gain in reading the above-quoted lines by Aynesworth?

The truth is far different and attentive readers of the present book will already have noticed it, for the name of Alvin Beauboeuf has been repeatedly mentioned in preceding chapters.

Beauboeuf is no poor innocent picked out at random by Garrison's men to serve as a false witness for a consideration. The truth is that he had been a suspect in the assassination from the very first day. He was one of the two young men who accompanied David Ferrie on that highly suspicious 'goose-hunt' or 'skating' trip to Houston and Galveston, in the period between the assassination and Oswald's murder, which has been described in Chapter 3. And he was picked up by Garrison's men, along with Ferrie and Martens, when the trio returned to New Orleans. As with Ferrie, it is only because of the FBI's

and the Secret Service's neglect of duty that his case was not thoroughly investigated in 1963.

Beauboeuf was the dearest of Ferrie's young bosom friends. When Ferrie died, he left a 'Dear Al' letter addressed to him, the contents of which have not yet been fully divulged. Ferrie also bequeathed all of his possessions to Beauboeuf.

'Dear Al' is probably also the young man who on the morning of February 22 found Ferrie's nude body in the latter's apartment, though the police and Garrison have so far refused to identify this person.

Even discounting this last-stated supposition, which is in no way essential to the case, it is perfectly clear from the foregoing that Beauboeuf, who for years had been Ferrie's intimate and for a long time had shared his apartment, was also privy to most, if not all, of Ferrie's secrets.

From the moment, then, that Ferrie again became a prime suspect in the assassination, after Garrison's reopening of the case in the late fall of 1966, one can take it for granted that Beauboeuf was also watched and questioned by the district attorney's investigators. Beauboeuf's vitally important previous connection with the case was purposely withheld by Aynesworth from his readers in order to create a totally false impression. This, indeed, is 'slanting' the news at its worst!

And how does Aynesworth substantiate his allegations of 'bribery' in the case? He says that when Garrison's investigators visited Beauboeuf at his home, the latter 'told them he couldn't do anything without talking to his attorney. They made a date for 2.30 the next afternoon at the lawyer's office.'

In order to understand what happened—or is supposed to have happened—next, one has to keep in mind that David Ferrie was an important cog in the CIA which was therefore also bound to protect his bosom pal Beauboeuf, lest the latter, driven to desperation, should spill the beans. Accordingly, the 'unemployed' Alvin Beauboeuf was supplied with a clever lawyer who promptly devised a scheme for trapping Garrison's investigators,

an endeavour in which he was partly successful. According to Aynesworth, this happened :

"One of the two investigators, Lynn Loisel, a New Orleans policeman assigned to Garrison's office, showed up. What had Loisel told Beauboeuf the night before, the attorney asked? "I told him we had liberal expense money," Loisel replied. "And I said the boss is in a position to put him in a job, also that he would make a hero out of him, instead of a villain, you understand . . . I mean we can change the story around, you know, to positively, beyond a shadow of doubt . . . You know, eliminate him, you know, into any kind of conspiracy or what have you." "

One does not have to be particularly intelligent to realise that important portions of what Loisel said have been taken out here and replaced by dots. Sentence structure is so haphazard that it is evident connecting parts are missing. But, let Aynesworth continue :

"The attorney wanted to know more about the offer of money. Loisel answered : "I would venture to say . . . Well, I'm, you know . . . fairly certain we could put \$3,000 on him." He snapped his fingers. "Just like that, you know."

"Loisel was asked about the promise of a job. "I don't know," the burly cop said. "I'm sure he would have to go up through the ranks, you know. The first year or two he might stay in a room in the back with the charts or something . . . I don't know. Then he advances a little farther. Then he's a co-pilot . . . Then he is a pilot." Beauboeuf's lawyer asked if this was Garrison's idea, if "the boss" meant Jim Garrison? Loisel replied that it did.

"Then Loisel laid out the "conspiracy plot" to which Beauboeuf presumably would testify. He discussed "cross fire" and escape routes. As Loisel "recalled it", Ferrie and Shaw had been arguing in the apartment,—or maybe it had been Oswald and Shaw—the investigator couldn't quite recall for sure. Loisel added : "Clay Shaw wanted some of his methods used, or his thoughts, you know,

used. But anyway, that's what we have in mind—along that line."

"Was Al at the meeting?" the attorney asked. Loisel said: "No, Al wasn't at the meeting." But Loisel suggested that Dave Ferrie had told Beauboeuf all about it. The attorney then asked how they would explain Beauboeuf's failure to come forward prior to this. "I'll tell you how we go about that problem," said Loisel. "Well, Dave Ferrie, bless his soul, is gone. Al was scared of Dave. Al has a family, you know. When Al first met Dave, he was a single man. Al has a family now. Al was threatened by Dave, you know, to never divulge this. Al or his family would be taken care of. You understand. Now that poor Dave is gone, Al has voluntarily come forth and told of his knowledge. I mean there's 99,999 ways we can skin that cat, you know. I mean it's something, you know . . . That's his patriotic duty . . . He's placing his family, you know, at the mercy of the DA's office because he must clear his conscience . . . and as an upstanding citizen."

So far, there isn't anything in that account—disconnected as it is by a profusion of dots—to suggest, much less to prove, bribery. It is routine practice by district attorneys all over the country to encourage suspects—and Beauboeuf, as we have seen, very definitely falls into that category—to become co-operative witnesses by promising them immunity and, where there seems to be a need for it, financial assistance. As long as the purpose of such inducement is to make the suspect tell the truth, there can be no question of bribery.

'Bauboeuf told Loisel that he really knew nothing about any plot concerning Ferrie or the assassination,' the *Newsweek* story goes on. But he offered to take the 'truth serum', hypnotism, polygraph tests, anything. He had one question. Would they still give him the job if he turned out to be of no help to them? Loisel said: 'I'll have to check back with the boss.'

'When the D.A.'s men learned that the meeting in the attorney's office had been recorded on tape, Loisel and a colleague returned to threaten Beauboeuf. He was told

if he got in the way he would be shot. Then they hauled him down to the courthouse and made him sign a statement that said, in effect, that he didn't consider the offer of \$3,000 and a job as a bribe. They told him bluntly that they had "enough on him" to ruin him. Today, with a wife, an eleven-month-old son *and a job*, Beauboeuf is as worried about the existence of some pictures the D.A. holds over his head as he is about physical harm . . .

This last sentence is of course extremely revealing. What kind of pictures is Garrison holding over Beauboeuf's head? If they related solely to homosexual activities or similar offences, they would hardly justify the young man's worry in a generally tolerant city like New Orleans. It is reasonable to presume, therefore, that these pictures somehow connect Beauboeuf with the assassination.

Incidentally, how come he now has a job? He was 'unemployed', when Garrison's men first contacted him and he spurned or spoiled their offer of a job. And then, all of a sudden, a job for poor harried Al materialises out of the blue sky—or out of the CIA?

Upon learning of the *Newsweek* story, Garrison immediately released to the press—which of course didn't publish it, although the Aynesworth creation was picked up and reproduced in many papers—an affidavit signed by Beauboeuf in which the young man swore that he had been offered money and a job only after he had complained that he could not afford to take the time to co-operate with the District Attorney; also that he had only been urged to tell the truth.

This is of course the crux of the whole matter which Aynesworth and *Newsweek* have concealed assiduously. Beauboeuf *was involved*, at least to the extent that he had been with Ferrie on that trip to Houston and Galveston and there was every reason to believe, because of the intimate relationship between the two men, that Ferrie had confided other secrets to his friend. These secrets Garrison's men tried to pry loose from Beauboeuf through promises and possibly some pressure—a perfectly legiti-

mate undertaking under the circumstances.

Thus Aynesworth's 'bribery' story falls completely flat. Yet on the basis of this incident, the 'veteran reporter' has the gall to wind up his story in *Newsweek* with these words :

'The real question in New Orleans is no longer whether Garrison has "solved" the assassination. The question is how long the people of the city and the nation's press will allow this travesty of justice to continue.'

That, coming from an Aynesworth, really takes the prize !

Garrison himself shrugged off the whole affair.

'Who owns *Newsweek*?' he asked. '*The Washington Post*.'

'What is *The Washington Post*?' he continued. And again he answered himself :

'An Administration newspaper.'

And that really does explain everything.

Chapter 10

A Revealing Interview

Garrison again forcefully took issue with *Newsweek* and his other detractors in an interview with two correspondents of the American Broadcasting Company, Bob Clark and Tom Jarriet, which went on the air on Sunday, May 28, 1967, in the ABC's 'Issues and Answers' programme. Because of its importance, a full transcript of this interview follows :

MR. JARRIET : Mr. Garrison, the Warren Commission's findings on the Kennedy assassination concluded that Lee Harvey Oswald was the lone assassin, that he did not know Jack Ruby and that there was no conspiracy involved. What have you concluded happened on November 22, 1963?

MR. GARRISON : Tom, our evidence indicates that, first of all, Lee Harvey Oswald was not the lone assassin. Furthermore, he was most likely not an assassin at all.

Secondly, he did indeed know Jack Ruby and our evidence confirms that without any question. And finally, our evidence confirms that there is no question about the fact that there was a conspiracy. Unfortunately the Warren Commission was mistaken in regard to these facts.

MR. CLARK : You say, Mr. Garrison, that Lee Harvey Oswald probably was not the assassin, at all. Do you have any evidence that would stand up in court that anyone else actually carried out the assassination and fired the fatal shots?

MR. GARRISON : Yes, we do.

MR. CLARK : Can you say anything about this evidence?

MR. GARRISON : No, I can't.

MR. CLARK : How can you conclusively rule out Oswald as the assassin in the face of the rather overwhelming

evidence of the Warren Report that places him at the scene of the assassination and probably in the sniper's nest?

MR. GARRISON : That is not very difficult, Bob, because there is no overwhelming evidence. As a matter of fact what was done in the Warren Commission investigation was to ignore the majority of witnesses who heard shots coming from the front and they presented—let's see, that will be nineteen witnesses who heard shots coming from the front, and the grassy knoll area, and that is where the fatal shot obviously came from.

The only one called by the Warren Commission was Mr. Zapruder and he was only asked about his camera and the time and so forth of the film. And, of course, in answering that even he pointed out that the shots came from behind him, past his shoulder towards the President. So there is no overwhelming evidence, at all. It is a matter of excluding certain things. As a matter of fact, there is very little evidence that Lee Oswald was up on the sixth floor.

MR. JARRIET : We do know that they found a rifle with Oswald's palm print on it. They found his palm print on the sixth floor and they know this rifle was fired and they have linked this rifle to Oswald so isn't that evidence in itself that Oswald was there and firing a weapon?

MR. GARRISON : No. It is evidence that Oswald had been in possession of that weapon and it is the weapon that Oswald—there is no question about that under the name of Hidell, and there is no question about Oswald being on the scene. But that is a long ways away from actually firing the weapon. That is something they were never able to prove and it was an assumption they made and one which fades before any objective investigation.

MR. CLARK : Well, Mr. Garrison, there were five of us in the wire service car which was the fifth car in the procession and was just moving into the intersection in front of the Texas School Book Depository when the

shots were fired. All five—and this would be the Acting White House Press Secretary and four pool reporters—would state without the faintest shred of any doubt that three shots were fired and they were very loud and very clear and almost over our head from that area. We couldn't testify that they were fired from that sixth floor window but there is no faintest question in the minds of these five observers that three shots were fired from that area.

MR. GARRISON : That is a good point, Bob. I will give you full credit for having heard the shots from the direction you think you heard them from. On the other hand, you have to give credit to other witnesses in Dealey Plaza who believe they heard them from the other direction. Of the one hundred and some odd witnesses in Dealey Plaza, two-thirds of them heard shots coming from the front in the grassy knoll area and only one-third are conscious of the shots coming from the back. So giving you full credit for what you heard—and I am sure you did—we have to also conclude that two-thirds of the witnesses heard shots coming from the front and the Warren Commission doesn't recognise that at all.

MR. JARRIET : Where do you intend to take this case from here? One man has been charged and indicted but not yet brought to trial. Where will it go from here, as far as you are concerned? Will there be other arrests, will there be other charges? If so, when?

MR. GARRISON : Let me answer the one part, first. As a result of some experiences we have had—and I certainly don't blame the press. Naturally, they want to know about an interesting matter like this but our office was almost put out of commission as if it were bombarded by artillery. We are going to have to defer any further arrests to try and make them at a later date, but there will be other arrests and they will probably be before the trial.

MR. CLARK : If we can get back for a moment to the question of where the shots came from, the Warren

Commission did find quite conclusively and after pretty exhaustive tests, that the fatal shots that struck Governor Connally, had to come from the rear of the motorcade. Wouldn't you agree with that?

MR. GARRISON : No. I would agree that they found it conclusively because that is the way they stated it but I would not agree their tests were exhaustive. Furthermore, I think it has become obvious that they are mistaken with regard to the fatal shot having come from the rear. I think that the Warren Report in many respects unfortunately is in the position of Humpty Dumpty. It can never be put back together again. But in this particular regard, the conclusion of the report is totally indefensible. President Kennedy was obviously killed by a shot from the right front. First of all it is obvious because of the fact that a study of the Zapruder films, which were never studied by the Warren Commission before it reached that conclusion, shows that his head went back to the back and the rear as if he were hit with a baseball bat. And secondly, because the effects of the shot, in other ways that I don't want to go into here, show that the shot had to come from the right front. There is simply no question about it.

The point is, Bob, that this is one of many areas which would have come to light had there been an adversary proceeding, had there been an attorney of any kind to raise counter-questions, to cross-examine, to raise points, and these points weren't raised so I would conclude by saying that this is their conclusion but it is entirely incorrect.

MR. CLARK : Of course if you say that the Warren Report is wrong, in saying that the shots came from the rear, that they did come from the front, you are challenging the results of the autopsy and you are saying in effect that somebody for some reason falsified that autopsy, aren't you?

MR. GARRISON : Well, let me ask you, first, have you seen the autopsy?

MR. CLARK : No. The autopsy has never been made pub-

lic but it was available to the Warren Commission.

MR. GARRISON : Do you know any one who has seen the autopsy?

MR. CLARK : I know the members of the Commission saw it. The point would be that you are saying that somebody, either on the Commission or involved in the autopsy, deliberately falsified that autopsy.

MR. GARRISON : No, I am saying—I think it goes deeper than that—I am saying that if the autopsy is not available I think it is impossible for anybody to make conclusive comments about it. The autopsy has not been made available. It is still secret. We don't really know what is in it until it is made available so how can we even argue about it? It is being kept secret. Now I think the fact that it is being kept secret raises some questions. And those are the significant questions.

MR. CLARK : Of course it wasn't kept secret from the Warren Commission.

MR. GARRISON : But it is being kept secret from the American people, and people raise questions. It was kept secret from you. It was kept secret from me. We don't know what is in it. How can we argue about it?

MR. JARRIET : You claim, sir, that both the FBI and the CIA are hampering your investigation by hiding the real assassins. If they are, what evidence do you have that they are doing this?

MR. GARRISON : Let me clarify that. The FBI is not hampering us in any specific way. I am sure that the Bureau is not enthusiastic about the fact that we disagree in a number of ways with their conclusions and I am sure there is some pride involved but the primary problem is the Central Intelligence Agency. The Central Intelligence Agency, actually, I think, has answered your question, itself, because otherwise, were they not in a position of having to hide something, Tom, they would not have to hire lawyers to try and stop the case.

Every lawyer involved in this case, without exception, involved in the attempts to derail the investigation and to stop the case, has been connected by us

with the Central Intelligence Agency.

One lawyer, Mr. Plotkin, has publicly admitted that his client worked for the Central Intelligence Agency. He has also admitted that he is being paid by the Central Intelligence Agency and every other lawyer in the case we have connected with the Central Intelligence Agency. Mr. Burton Klein and his alleged client, Beauboeuf, were flown to Washington, all expenses paid.

The point is if the Central Intelligence Agency is not involved then what on earth are they working so hard to stop the investigation for?

But to get back to an even more important point, our investigation of the activities of Lee Oswald in New Orleans showed that his associations in New Orleans during the six months he was there were not merely frequently—were not merely most of the time, but were continually and exclusively with individuals employed by the Central Intelligence Agency. Oswald's associations were continually and exclusively with individuals engaged in anti-Castro activities. And yet this is not indicated anywhere in the Warren Commission Report. But it hits you in the face in New Orleans and there are no exceptions to it.

MR. JARRIET : Do you believe Oswald was a CIA agent?

MR. GARRISON : No, he was not a CIA agent. He was obviously an intelligence employee of the United States government. This is so obvious that I don't see how they hid it. First of all, his associations at the time, just off the cuff. The fact—here is a boy who went into the Marines when he was seventeen. He had never shown any interest in languages of any kind. He was word-blind which makes it impossible to learn languages by yourself, and that is brought out in the Warren Commission. All of a sudden he is speaking Russian fluently. Obviously through one of our Intelligence cram courses, by our armed forces.

And then he is at Subic Bay, which had at that time a CIA function, I understand. Of course, this is general

knowledge. If it were private knowledge, I wouldn't feel free to comment on it. But it goes on and on.

For example, when, after all his so-called Communist activities, he wanted to get, in the summer of '63, a passport to Europe, he got it in twenty-four hours. And you couldn't do that.

MR. JARRIET : Mr. Garrison, you are saying that Lee Harvey Oswald, you think, was associated with the CIA in some capacity or another. Does this mean that you think the CIA might have had a role in the assassination of President Kennedy?

MR. GARRISON : Well, Tom, in answering, let me just finish one point that I was referring to earlier. Other indications of Oswald's connection with Central Intelligence Agency is the fact that even while in the Marines while stationed at El Toro, as we know from the testimony of Nelson Delgado, Terry Thornley and other individuals, even in the Warren Commission, itself, Oswald had a higher security clearance than the rest of his Marine buddies. And the indications go on and on. The telephone number of the local office of the Central Intelligence Agency is in the front of Oswald's book in a very thinly-disguised simple code to himself. And if you accumulate the associations and his conduct, there is no question about it. But I just wanted to complete that.

Now to get to your question : Of course the Central Intelligence Agency had no role in the planning or intending the assassination of President Kennedy. I think that that would be a ridiculous position for anybody to take. I certainly have never assumed that, but what clearly happened—and we don't think employees of the Central Intelligence Agency were involved. We are going to be able to show it. What apparently happened was that this adventure which was going on in the summer of New Orleans, with regard to Cuba, an anti-Castro adventure involving Latin American individuals and involving Lee Harvey Oswald and others, backfired for some reason. Perhaps after the mission

aborted, which it seems to have in early August, 1963, and the U.S. funds were withdrawn from it.

As a consequence, a spin-off, in effect, apparently occurred and President Kennedy was killed by these same individuals.

Now what the CIA did do, and I presume it rationalised this in terms of national security, it concealed from the Warren Commission, from the American people, from the President and from the world, the fact that its employees, its former employees, were involved in the assassination of the President. Now therein lies the culpability of the CIA.

MR. CLARK : Well, why would anti-Castro Cubans turn a plot to assassinate Castro if you feel this might have been involved, into a plot to assassinate President Kennedy?

MR. GARRISON : That is not hard to answer but let me say first that when I say anti-Castro Cubans I am not criticising all Cubans and no legitimate organisations are involved but in the summer of 1963—actually before that—there were a number of Cuban individuals who had very strong feelings with President Kennedy. Stemming from the Bay of Pigs. Then these strong feelings became amplified with the detente reached with Castro and Khrushchev in the fall of 1962, in October. In the late summer of 1963, for the first time, the administration started putting the detente into specific effect and started cutting down on some of the CIA's activities. At this time our evidence is that the anti-Kennedy feelings of some of these Cuban individuals and other Latin individuals became venomous and the outcome was in what you saw in Dealey Plaza, on the 22nd of November.

MR. CLARK : Have you given specific names to the CIA or the FBI and told them that you have evidence of an assassination conspiracy?

MR. GARRISON : If I had any specific names, any specific evidence, the last agency in the world to which I would give it at this point is the Central Intelligence Agency,

Bob. It is doing everything it can to obstruct us. We have asked them for information. For example, the picture which we know that they took of Lee Harvey Oswald coming out of the Cuban Embassy in Mexico City, at which time he was walking with a known employee of the Central Intelligence Agency, and all we receive is double-talk, so we are certainly not going to ask them for anything. As for the Bureau, I think we are going to get more and more co-operation from the Bureau as they realise that we do have substantial information about the assassination. At that time all of our information will be made available to the Bureau but not to the CIA.

MR. JARRIET : In another area, in the Shaw preliminary hearing in New Orleans, one of the witnesses, a key witness, testified that he was hypnotised repeatedly before he testified. Another confirmed from the witness stand that he was a dope addict with a very severe habit.

Are these the type of people that you will base your case on, people who have undergone hypnosis and people who are on narcotics? Do you have other types of evidence or other types of witnesses that will be forthcoming?

MR. GARRISON : Let me answer your question, Tom, in two parts. First of all, I am not going to say anything about the type of witnesses or the names or the kind of witnesses we will produce at the trial, but I want to comment on the rest of your question : First of all, there is the fact—as to the fact that we placed a witness under hypnosis, *this was done to help objectify his testimony. In other words, when we heard the testimony of this witness, the first thing I said was, 'I want him placed under hypnosis, I want him given sodium pentothal. I want him confirmed with regard to his statements, and I want the kind of confirmation which has a doctor present and not just police officers.'* So we thought we had more or less made history when we made him take hypnosis, we made him take sodium

pentothal, with two reputable doctors present. We felt this made history in the sense that the prosecutor was forcing his own witnesses to objectify their testimony.

Now to my amazement I find that we are supposed to have used these devices to some sinister end, to plant ideas in the head of this witness and as a consequence we no longer bother to objectify in the way we started doing.

Now with regard to the dope addict (Vernon Bundy) it is true, I would rather have a bank president or a successful lawyer—well, not a lawyer. We have had a lot of trouble with lawyers, lately, but a successful business man. But it happens to be a fact of life that you seldom find bank presidents and successful business men sitting on the levee alone by the lake at a place where people are likely to have secret meetings. The question is, is he telling the truth or not. There are many attorneys who are brilliant liars and there are dope addicts who have never learned to lie. And that is the case, here. The question is, was he telling the truth, and the answer is, Obviously.

MR. JARRIET: A man you mentioned earlier, Alvin Beauboeuf, has confirmed reports that one of your investigators offered him money and a position with an airline if he would confirm certain details of an assassination plot and Beauboeuf later said he didn't know of any such details.

Was any such inducement made to a witness, to your knowledge?

MR. GARRISON: Yes, in a sense, but not in the sense in which they sought to imply it. This was a set-up about which I complained to the Louisiana State Bar Association long before it became public, although I seemed to have trouble communicating that to the world at large. Beauboeuf complained that he was unable to even tell us about the case, to my investigators, because he had no job and needed financial help. And my investigators said to him, in effect, 'look, if you have knowledge about the case which will bring it to a con-

clusion and you tell the absolute truth about it, you should have no financial problems. We will get you a job with an airline. I am sure the boss can help you. But you have to pass sodium pentothal, you have to pass hypnosis and you have to pass the lie detector test.'

Now this is very important because he complained during the course of this dialogue about having to take all three and Lynn Loisel was insistent because at that time we were requiring it, fortunately.

Now the reason you have not seen the tape on this, the much-vaunted tape, is because *they cut out the first part* where the insistence is made by Loisel that he take the three tests. But they made a mistake and left in it later references by both Beauboeuf and his lawyer to the three tests he had to take. And by that time we had obtained a copy of it. *So now they can't release it because they have been caught cutting a part of it out.*

In summary, it is not even close to a bribe. If it were, I would remove the man from my office immediately.

We don't operate that way. *No intelligent prosecutor wants a lying witness on the stand because a good defence attorney will tear him to ribbons.* It was just an attempt to create the picture of a bribe.

Now what is significant is the fact that *Newsweek* magazine, this crummy news magazine owned by *The Washington Post*, which is a mouthpiece of the administration, has never bothered to find out the truth from us. It has never made any attempt at all, and it has made it look like a bribe and I think that is unforgivable. It raises questions about the motives of this so-called news magazine.

MR. JARRIET : Was anything in the way of jobs or money offered to any other witness if he would tell the truth, or any future security? Any witness such as Russo?

MR. GARRISON : No, I know of no such other incidences. As a matter of fact, it is certainly not a pattern of the

office. I would regard it in that case as an incident of enthusiasm on the part of this particular investigator who was sucked into it by the circumstances. I think it certainly not in the best manner and the best traditions of questioning a witness but I think the fact that he *insisted it had to be the whole truth* indicates a lack of sinister motive. Naturally I have talked to him about approaching any witness that way because of the danger of it being misunderstood but this is the only case I know of. We simply don't operate that way and I don't think other DA's offices do, either.

MR. CLARK : One of the men who served as an attorney for Jack Ruby—that was Sol Dann—said this past week, and let me quote his words to you, 'It would very much appear that Mr. Garrison has improperly discharged his responsibilities. His actions appear irresponsible and not in keeping with his role as prosecutor, which is to protect the innocent as well as convict the guilty.'

He is asking that you be disbarred. Is it irresponsible to make the sort of charges you have made in public before they are made in court?

MR. GARRISON : Well, Bob, I am not aware of any particular charges I have made in public, except where they have been brought out by the newspapers, or except where I have replied to some great brain like this attorney. But you are going to find that I have initiated very few charges. For example, the revelation of the investigation itself was made over my objection.

Do you have any examples in mind?

MR. CLARK : I think he is particularly concerned about your linking Oswald to Ruby.

MR. GARRISON : Ah ! Let me reply. My linking Oswald with Ruby the first time publicly, was in my reply to the Associated Press last night, to his statement. We have had solid evidence for a long time that Ruby was linked with Oswald but we have not referred to it for several reasons and one of them is that the man is dead, that he has a family left. We didn't even hint at it until

this lawyer came up with this ridiculous comment. So now when you asked me earlier, when Tom did, I felt free to comment on it.

Of course, what it all adds up to is, he would love to see me disbarred because he knows I am going to connect Ruby with the conspiracy and that is going to be very easy to do.

MR. JARRIET : Mr. Garrison, by comment you have made, you have cast doubt on a federal government investigative agency, the CIA. You have cast doubt on the Warren Commission's findings on the murder of a president. How would you pass judgment on yourself if in time you cannot prove what you have stated about these agencies?

MR. GARRISON : Well, to take the last part of your question first, Tom, the question will not arise because we have already proved it and we have the evidence. It is a matter of solving the problem of communication. But to any reasonable man in the United States or the world, I can prove that, tomorrow. Right now. So that problem won't arise. But even if it were to, hypothetically, my evaluation would be : at least I have made an attempt to find out the truth and so far as I know this is the first objective investigation by any official agency in the assassination.

Now again, I am not casting judgment on the Bureau because I think that a large part of the facts were withheld from the FBI by the CIA but I would conclude at least we have tried to find out the truth.

MR. JARRIET : You have passed judgment in your own mind but will you take what evidence you have into a court of public opinion and either a legislative investigation, a Congressional investigation, where your evidence can be brought out to the public?

MR. GARRISON : I will take all evidence which is relevant to our case into the courtroom. Actually what you have mentioned is the proper place for it and that is a Congressional enquiry into the CIA's activities. All of our evidence will be made available to the CIA. And if

they look into it seriously there is no question in my mind but what the CIA will be reorganised. Of course, we need an intelligence operation but it will be reorganised so it has Congressional control. You cannot have in a democracy an organisation which really believes that the end justifies the means and which is not responsible at all to the representatives of the people in Congress. That is what we have. And when you have that, you have a totalitarian power in your country and we have in the CIA, today, because of that.

MR. CLARK : I am sorry but our time is now just about up. It has been a pleasure having you with us as our guest on 'Issues and Answers'.

Chapter 11

Counter-attack from Washington

II

False Witnesses on NBC

It would be impossible to enumerate here all, or even nearly all, the frontal or snide attacks on Jim Garrison which have appeared in the American press (seconded by a large portion of the world press) in the period between February 17, when the investigation first became known and the trial of Clay Shaw. Virtually all major newspapers in the United States, from *The New York Times* down, participated in this organised onslaught, as well as all important magazines, news weeklies, radio and television networks, etc.

The most massive assault came when the National Broadcasting Company put on the air, on June 19, an hour-long 'documentary' about the Garrison investigation which made the New Orleans district attorney appear as an unredeemed villain bent on the administration of total injustice.

Certainly the most curious aspect of this nation-wide propaganda offensive is the date when it got started. As we have seen in Chapter 7, the self-admitted CIA agent Gordon Novel has publicly stated that he had been on the NBC payroll from *February 1, 1967*, through April 1, helping the network to gather information and material for this particular programme. In other words, NBC had made a bid for the co-operation of a key witness in this investigation two to three weeks before the first news of it leaked out to the public through the *States-Item*.

This shows that the CIA had been alerted to what Jim Garrison was up to, long before reporter Rosemary James poked her pert little nose into the matter. Conscious of its guilt and impelled by an elementary instinct of self-

preservation, the intelligence agency then swung into action to try and thwart the investigation at all cost.

It is not surprising that the CIA, from the outset, turned to the National Broadcasting Company for help. NBC, as Garrison has pointed out, is owned by the Radio Corporation of America, one of the top ten defence contractors in the United States. The Pentagon, CIA and NBC thus appear as three pillars of one and the same establishment. This close relationship, Garrison has said, 'helps to clarify the federal government's role in obstructing our investigation.'

For the special purposes of this programme, NBC had enlisted the services of a professional investigator, Walter Sheridan, forty-one, who had worked for several years in the U.S. Department of Justice under the then Attorney-General Robert Kennedy.

One of the 'highlights' of the NBC 'documentary' has already been mentioned before. It was the announcement, made with fanfare, that Clay Shaw was not Bertrand and that NBC had uncovered the identity of the man who went by that name.

'For his own protection,' the NBC narrator, Frank McGee, proclaimed, 'we will not disclose the real name of the man known as Clem Bertrand. His real name has been given to the Department of Justice. He is not Clay Shaw.'

This swindle was based on the deliberately false identification by Dean Andrews of the bar owner Eugene Davis as being 'Bertrand'. This was one of three counts on which Andrews was convicted for perjury in August, as has been detailed in Chapter 4.

Star witness of the NBC production was a convicted Negro burglar, John ('The Baptist') Cancler, who alleged that Garrison's investigators had attempted to make him 'put something' into Clay Shaw's house so it could later be used as evidence against the owner.

Cancler's 'testimony' on the NBC broadcast followed similar allegations the convict had made in an interview with *New York Times* correspondent Gene Roberts who

talked to him for two hours in the visitors' room at the Orleans Parish prison.

'Cancler said that he was charged in mid-November of last year with committing a burglary on Nov. 6,' Mr. Roberts wrote in *The Times* of June 12, 'and that soon afterwards he went to the district attorney's office, declared that he was innocent and asked if there was any way that the charges could be dropped.

'He said he had been told that a member of Mr. Garrison's staff would get in touch with him later. The contact was made, he said, in mid-January. At that time, he said, one of Mr. Garrison's aides drove him through the French Quarter of New Orleans, pointed to Mr. Shaw's house at 1313 Dauphine and, according to Cancler's statement, asked: "Do you think you could get in this house?"

'Cancler said he asked why, and the investigator then told him: "I might want you to put something in there."

'Cancler said that he had insisted on knowing "what's happening" and that the investigator had told him: "We're investigating the assassination of President Kennedy and we have reason to believe that the man (who) lives in that house had something to do with it."

'According to Cancler, the investigator's attitude "changed completely in a belligerent sort of way after I refused to go along with the program."

Soon afterwards, Cancler added, the district attorney's office took steps to bring him to trial. On February 18, a jury convicted him of simple burglary, but sentencing was delayed pending action on Cancler's request for a new trial. Cancler made this request, Roberts reported, after another prisoner on his cell tier in New Orleans confessed to the burglary that had led to Cancler's conviction. The District Attorney opposed this move on the ground that Cancler had previously been convicted three times for the same offence. He was now liable to a long stretch under the state's Multiple Offenders Act.

Cancler told much the same story on the NBC programme, but when he was asked, on July 12, to repeat

his allegations under oath before the Grand Jury, he balked. In an unusual move underlining the importance of the case, the grand jury then left its usual chambers and journeyed en masse to the courtroom of Judge Bernard Bagert. There, the grand jury foreman, Albert V. Labiche, once again asked Cancler to swear that his 'statement' on television was true.

Once again, Cancler refused to answer, reciting the Fifth Amendment, and was promptly found guilty of contempt of court by Judge Bagert who sentenced the prisoner on the spot to another six months' imprisonment and a \$500 fine. It is quite obvious, then, that Cancler's assertion on the NBC programme that he had been asked by Garrison's men to put 'something' into Shaw's house was untrue.

As usual in the case, few, if any of the newspapers that had jumped with glee on Cancler's lying allegations on NBC, subsequently bothered to inform their readers that this peculiar star witness had virtually recanted in court by taking the Fifth and preferring to be sentenced for contempt of court than face an inevitable perjury rap.

Cancler's performance on NBC was matched, in the course of the same 'documentary', by the statements of another convict, a twenty-nine-year-old Cuban named Miguel Torres, who also claimed that Garrison's men had tried to bribe him into giving false evidence against Clay Shaw. Again, Gene Roberts of *The New York Times* had jumped the gun on the television network, by recording Torres' say-so in print before it went on the air. The newsmen met Torres at the state prison at Angola, about 100 miles up the Mississippi River from New Orleans. His witness, we learn, had just finished serving about one-third of a nine-year sentence for burglary and had another three years coming to him in a Federal prison on a narcotics conviction.

'According to Torres,' *The New York Times* reported, 'two members of Mr. Garrison's staff visited him at Angola in mid-January. Then about two weeks later, he said, one of the staff members drove him to the parish

prison in New Orleans, where Mr. Garrison and his assistants questioned him sporadically.

'At the first meeting with representatives from Mr. Garrison's office, according to a signed statement Torres gave this reporter (Gene Roberts), one investigator said: "What would be the thing you would like most?"

"I said my freedom," Torres said. "And he (one of Mr. Garrison's representatives) said, "We'll give you an ounce of heroin and send you to Florida for three months on vacation—just lay back and enjoy yourself." And he said, "If you don't co-operate, Miguel, we'll make you do those nine years you have here plus the other times (three years) you have pending in the Federal penitentiary. You know the boss is very powerful. He can make you do all of this time or he can cut you loose right at this moment."'

This account is most unlikely on the face of it. For one thing, it is highly improbable that a law-enforcement officer would offer heroin to a convict as an inducement, thereby himself committing a grave federal offence. It is also unlikely that so much pressure should be applied (or so much promise be held out) to a prisoner for the comparatively small contribution expected of him, as outlined by Torres himself. Gene Roberts continued:

'Torres said he was under the impression initially that the district attorney's office would help him get his freedom if he answered questions to the best of his ability. But he said he later came to the conclusion that the offer of freedom applied only if he were to provide testimony that would help Mr. Garrison bolster his charges that the Kennedy assassination was the result of a conspiracy. He said he had reached this conclusion because he had told the truth to Mr. Garrison and his staff and they had not attempted to have his present sentence reduced.'

Again, this account lacks plausibility. These negotiations with Mr. Garrison and his staff are supposed to have taken place at a time when Torres had already been in jail for about three years. Adding the time that usually elapses between arrest and conviction it seems likely that

Torres, at the time of the Kennedy assassination, was already behind bars. As a matter of fact, Mr. Roberts states elsewhere in his article that Torres, in the view of Garrison's staff, had been involved in anti-Castro politics in New Orleans in the *early 1960's* and 'might have heard' anti-Castro forces plotting to kill President Kennedy.

Actually, Torres' story shows that what Garrison really wanted to hear from him was an inside account on goings-on at the Shaw home prior to the assassination. Torres, it seems, was acquainted with Shaw and had attended some 'sex parties' in his home. This is the way Roberts tells this story :

'After he was transferred to the prison in New Orleans, Torres added, he was taken to Mr. Garrison's office and found the district attorney and several of his assistants drinking beer. He said Mr. Garrison had told him, "Have a couple of beers, Miguel," and then had begun showing him pictures of several Cubans and New Orleans residents. Torres said Garrison had given him a "rundown on each of them (the men in the photographs) and (kept) asking me if I knew them. I said, 'No'."

'At subsequent interrogation sessions, Torres went on, one member of Mr. Garrison's staff tried to persuade him to submit to hypnosis, and still another "stressed the point of going along with Mr. Garrison and reminded me how much Mr. Garrison could hurt me."

"One of the interrogators," Mr. Torres said, "asked me if I knew Mr. Shaw. I said, 'No'. He said, 'Yes, you know Mr. Shaw. You frequented his house on Dauphine Street. You went to his sex parties. You better tell me, Miguel. You don't want to get the boss mad.' "

It must be apparent to the least sophisticated mind that there is something inherently wrong with this account and with the more or less parallel story Torres told on NBC.

Here we have a two-time loser with two consecutive long-term prison sentences already imposed on him and a chance, or so he says, of getting out from under in a jiffy. All he has to do, in order to get his slate wiped clean, is

to co-operate with the district attorney to the extent of confirming that he had been at Shaw's house and had taken part in 'sex parties' there. What prisoner wouldn't jump at such a chance, even if he had to make up a few details, or maybe the whole story, to prove himself co-operative?

Torres does not reveal what is supposed to have motivated his refusal to go along with the investigators. Are we to believe that a convicted burglar and narcotics offender rejects such a splendid offer as Garrison's men are supposed to have handed him on a silver platter out of the purest concern for the truth? Tell that to the marines!

At this writing, Torres' allegations have not yet had a grand jury sequel like the one that immediately exposed Cancler's false testimony, but chances are that this will not be much longer in coming. At any rate, Torres' story needs to be taken with a grain of salt, the same as the already exposed lies of Andrews and Cancler.

What is more, in at least one case that has come to light, the NBC people apparently did just what they were trying to prove against Garrison : attempt to bribe a witness.

In a bill of information dated July 7, and signed by assistant DA Robert E. Lee, Walter Sheridan was formally charged with public bribery. The charge was based on an affidavit from Perry Russo stating that Sheridan and others on or about June 11 had approached him to try and induce him to change his testimony about Clay Shaw. According to Russo, Sheridan made him the following offers :

1. Lodging in a residence in California.
2. Payment of the fee of an attorney for extradition proceedings.
3. Protection and immunity from the State of Louisiana and the district attorney's office.
4. Guaranteed employment in California or job security.

Previously, Russo, in a press conference held at the

office of Assistant District Attorney James L. Alcock, on June 20, had taken sharp issue with that part of the NBC programme referring to his own testimony. NBC had quoted Russo as saying he had not told the truth when he testified that Shaw conspired with Oswald and Ferrie.

Russo formally denied having made such a statement and accused Sheridan of distorting what he really had said. He had only expressed disgust at the effects his involvement in the case as a witness was having on his personal life. 'He twisted it around,' Russo said of Sheridan and his report.

Reporters pried him with questions, trying to elicit from him some kind of admission that his statements before the grand jury had not been accurate. Calmly and confidently as he has behaved throughout his ordeal, Russo replied that he had spoken 'the absolute truth'.

He identified the three persons who had contacted him on behalf of NBC as Walter Sheridan; Richard Townley of WDSU-TV of New Orleans, an affiliate of NBC; and *Saturday Evening Post* writer James Phelan.

Sheridan, Townley and Phelan made repeated visits to his home, Russo said, to try to persuade him to appear on the NBC documentary. And, Russo added that he was always in contact with the district attorney's office about these visits.

'I never met with any of these people without knowledge on the part of the district attorney,' Russo said.

He quoted Townley as having told him that the NBC group was working with Shaw's defence in an effort to wreck the State's case. Even more significant was his assertion that members of the trio had told him that both the NBC and the Central Intelligence Agency were 'out to wreck the Garrison investigation'.

On July 19, Sheridan's lawyers, in a twelve-page motion asking that the subpoena requiring Sheridan to appear before the grand jury be quashed, fired a broadside at Garrison whom they accused of 'misconduct, intimidation and bribery' in developing his evidence

against Shaw. The motion rehashed the allegations previously made by Beauboeuf, Cancler and Torres to substantiate these charges.

The motion also contended that Garrison was 'subverting the historical purpose of the grand jury' by using it for his own purposes and asked for the recusal of the DA as grand jury adviser because his 'personal interests' were affected.

In a prompt rebuttal, Assistant DA Alcock pointed out that this motion 'implies that the twelve citizens on this grand jury are being led by the nose. They are not robots. Whenever this jury or any grand jury is deliberating on whether or not to return an indictment, the assistant DA's leave the room.' Garrison, he added, had 'absolutely nothing' to do with picking the grand jury.

Walter Sheridan, for his part, voiced indignation at what he called attempts by the district attorney to stifle freedom of the press.

Garrison countered with a sharp blast :

'Mr. Walter Sheridan insults the concept of freedom of the press when he attempts to use it to make himself look heroic. Freedom of the press does not include the right to destroy a State's case so that a defendant can escape justice.'

The district attorney branded the NBC programme as 'a very clear attempt to prejudice in advance possible jurors in the case', and added :

'This programme will probably stand for years as a symbol of the lengths to which some powerful outside interests will go in order to interfere with State government.'

The chairman of 'Truth or Consequences, Inc.', Joseph Rault, Jr., also joined the fray with a blistering statement saying that the NBC had 'violated and misused its rights of public broadcasting'. Rault called the Sheridan production 'very biased and prejudicial' and added that it was 'full of improper accusations and innuendoes, seemingly attempting to discredit witnesses

and making improper charges against our law enforcement officers.'

Most accurately, Rault termed the programme 'outrageous, shocking and an insult to the American sense of fair play'.

On July 11, identical charges as those that had previously been levelled against Walter Sheridan were preferred by the district attorney's office against his colleague, WDSU-TV newscaster Richard Townley. Additionally, however, the New Orleans man was charged on two counts, one of which stated that :

'Richard Townley did wilfully and unlawfully use violence, force and threats upon one Perry Raymond Russo . . . with intent to influence his conduct in relation to his duty as a witness.'

The other item brought still another witness into the overcrowded picture : a young woman named Marlene Mancuso who was described in the press as a one time beauty queen and former wife of fugitive witness Gordon Novel.

In a sworn statement which Garrison's office released simultaneously, Miss Mancuso asserted that Townley had attempted to interfere with her testimony as a witness in the (Houma bunker) burglary case against Novel and quoted the newscaster as saying that Garrison would be 'destroyed'.

'He said they were not merely going to discredit the probe,' Miss Mancuso's affidavit stated. 'He said Garrison would get a jail sentence.'

Walter Sheridan's truly frantic attempts to wriggle out of a Grand Jury summons to appear in court and confront Perry Russo on the bribery issue go a long way to proving that his NBC production was a sham and a fraud.

After he had been served with a subpoena to appear before the jury on July 19, Sheridan, through his lawyers, appealed to the State Supreme Court for a stay of this appearance.

The higher court, on July 28, issued a preliminary

order to stay all proceedings in the case until further orders of the Supreme Court. There was jubilation in the anti-Garrison camp, but not for long. For, on August 7, the Supreme Court denied Sheridan's application for writs, thus making the grand jury subpoena effective.

Two days later, Sheridan was notified that the jury was in session and that his presence in court was required : he failed to appear.

Thereupon Judge Bagert ordered a contempt hearing for August 15 and signed an order for Sheridan's appearance on that day.

In a quick countermove, Sheridan informed the judge through his lawyer, Milton Brener, that it had been 'physically impossible' for him to appear in New Orleans on the 9th, as the jury had required, because he was on assignment in Detroit, but that it would be possible for him to appear on August 10 or 11, if the grand jury saw fit.

Informed that Judge Bagert had ordered a contempt hearing for the 15th, Sheridan again pleaded physical impossibility, for he was under subpoena to appear before a federal court in Chicago, his lawyers told the New Orleans court. 'This subpoena will necessitate his appearance in Chicago throughout the 14th, 15th and 16th of August as the government has insisted on his presence at this hearing which involves requests by James Hoffa and others for new trials.'

That this was nothing but a subterfuge became soon apparent. For on the very day after Sheridan's attorneys had informed Judge Bagert that their client would be unavoidably detained in Chicago on the 14th through the 16th of August, but that he was willing to appear before the jury in New Orleans on the 10th or 11th 'if the jury saw fit', they appealed to federal authorities to take Sheridan under their wing.

Indeed, on August 10, Sheridan's lawyers filed suit in the Federal District Court in New Orleans asking the court to enjoin District Attorney Garrison from enforcing the subpoena to appear before the grand jury and to

grant a restraining order to prevent the DA from further prosecuting the charges against him. The Hearing on the requested injunction took place on August 21, in the court of Federal District Judge Alvin B. Rubin. Milton Brener, Sheridan's lawyer, based his argument on the new civil rights rulings by the U.S. Supreme Court which demanded that a defendant be protected by legal counsel at all times. He pointed out that his client would not have counsel before the grand jury. 'Mr. Garrison was bent for leather in stopping Mr. Sheridan,' he said and accused him of purposeful discrimination and selective enforcement of the law in charging Sheridan. The judge asked if he thought Sheridan was threatened with other charges if he made an appearance before the grand jury. 'We feel strongly,' said Brener, 'that Mr. Garrison does not intend to stop with one charge,' and then proceeded to reiterate the now threadbare story that the district attorney's office had been guilty of public bribery in its offer of money and a job to Alvin Beauboeuf.

What fresh charges did Sheridan fear? With Andrews already convicted of perjury only seven days before in connection with the very story that Sheridan had fabricated about Eugene Davis being the real Clay Bertrand, it is not very hard to guess.

Only three days before the Hearing an AP dispatch from Chicago cast new and significant light on Sheridan's investigations in New Orleans prior to the NBC programme for which he was responsible. 'A co-defendant of James Hoffa,' it read, 'imprisoned Teamsters Union president, testified Friday that a former justice department aide of Robert F. Kennedy offered him evidence of government wiretapping in exchange for his help in discrediting Jim Garrison.' It appeared that this co-defendant was a certain New Orleans building contractor called Zachary Strate who was testifying at a Hearing ordered by the U.S. Supreme Court to determine whether Hoffa and six others had been convicted on illegally obtained evidence. Strate's words in the witness box were 'Walter Sheridan offered me evidence of

government bugging . . . in exchange for helping to discredit district attorney Jim Garrison'.

Strangely enough, Sheridan's lawyer, who was present in court, did not deny that this meeting had taken place but contented himself with disputing the time and place indicated by Strate (June 12, at a New Orleans hotel) and with describing Strate's version of what happened at this meeting as absolutely false. It had been arranged by Judge O'Hara, he said, and when asked why the judge had sought to bring the two men together, he replied : 'I suggest you ask Judge O'Hara about that.' Then he asked an astonishing rhetorical question. 'Why is a criminal judge running around setting up meetings?' and answered it himself. 'That's an interesting question.'

The reader may find the name of Judge O'Hara familiar. It was Judge Malcolm V. O'Hara who contested the election for the office of District Attorney with James Garrison in 1965. An interesting question indeed !

In subsequent testimony it transpired that Malcolm O'Hara had formed a close friendship with Strate and had recently accompanied him on a number of trips to various cities in the States for which Strate had paid his fares. O'Hara had also been to see another of Hoffa's associates, a man named Partin, who was in gaol in Baton Rouge, carrying with him an affidavit for Partin to sign. It was to the effect that Partin's testimony in the Hoffa case had been false, and Partin refused to sign it. Asked why he had done this, O'Hara replied that he had been acting as a messenger for somebody else but refused to say who it was. He was also asked whether his election battle of 1965 had not left him considerably in debt and whether Strate had not lent him \$30,000. His counsel, however, successfully intervened with objections to both these questions.

Can one really believe that a former aide of Senator Robert Kennedy would attempt to reach such an unsavoury accommodation with his ex-employer's sworn enemy? But then we have already seen the lengths to which Sheridan was prepared to go in order to wreck

Garrison's case and his desperate attempts to avoid their legal consequences. The flimsy grounds on which his appeal to the federal court was based surely indicate the significance of this manœuvre. No doubt his lawyers hoped that by shifting his case from a potentially unfriendly to a friendly jurisdiction they would enable their client to avoid having to choose between perjuring himself, as did Andrews, or taking the Fifth Amendment and being sentenced for contempt of court, as happened to the luckless Cancler. In this they proved to be shrewd judges of the situation for on August 28 Judge Rubin ruled that Sheridan did not have to answer the subpoena to appear before the grand jury. He did however rule against Sheridan and Townley on their request that Jim Garrison be enjoined from prosecuting them on charges of public bribery, and, in Townley's case, of intimidation of a witness. Thus Sheridan was enabled to wriggle out of the grand jury summons on the grounds that he might without benefit of counsel have incriminated himself in connection with a pending charge that had nothing to do with the summons. And thus he avoided Andrews' fate.

* * *

One more Garrison quote in relation to the NBC affair is in order, because it neatly sums up an increasingly self-evident situation :

'All the screaming and hollering now being heard is evidence that we have caught a very large fish. It is obvious that there are elements in Washington, D.C., which are desperate because we are in the process of uncovering their hoax.'

A very large fish indeed. And an even bigger hoax.

Chapter 12

Counter-attack from Washington

III

Turncoat Gurvich to the Rescue

In connection with the NBC hassle, Garrison was to suffer his most serious setback yet. One of his closest collaborators, a man named William H. Gurvich, defected to the other side and then did his utmost to help wreck the investigation. He didn't succeed in that endeavour, but the damage he did was severe.

At the start of the Garrison probe, Gurvich, who with his brothers Leonard and Louis Gurvich, ran a private detective agency, volunteered to assist the district attorney's office in their investigation of the Kennedy murder plot. His offer was accepted and he was entrusted with a variety of tasks, especially in the public relations field.

To Gurvich went the assignment, for instance, of announcing the arrest of Clay Shaw to the press. He was also among those investigators who were sent to Dallas to interview Sergio Arcacha Smith. Perhaps that was the occasion when Gurvich first established contact with the opposition.

His defection came as unexpected as a bolt from the blue. It came about in a devious manner which adds no lustre to a manifestly disloyal move. In a special newscast on June 22, NBC announced that Garrison's 'chief private investigator', William H. Gurvich had recently told Senator Robert F. Kennedy that there was 'no basis in fact and no material evidence in Garrison's case for an assassination plot against the late President Kennedy'.

The description, frequently used in the press, of Gurvich as 'chief investigator' to Garrison is incorrect. He never was on the staff of the district attorney's office, but

served as a 'dollar-a-year-man', an influential but by no means decision-making auxiliary. He never had access to the innermost secrets of the Garrison probe.

The NBC newscast was followed by this statement which Senator Kennedy issued through a spokesman: 'At Mr. Gurvich's request I spoke to him in Washington recently. I have not discussed the substance of our conversation and I think it would be inappropriate to do so now.'

That statement, of course, was tantamount to saying that NBC's information had come to the network not from Senator Kennedy, but from another source, which under the circumstances could only be Gurvich himself. Subsequent developments proved this interpretation correct.

At the same time, *Newsday*, a mass circulation newspaper published in Garden City in the suburban area of New York, said in a copyright interview published on June 23: 'He (Mr. Gurvich) was asked if it were true that, as some reports had it, he had told the senator that the Garrison investigation was "a hoax". Mr. Gurvich said: "That is absolutely untrue. I think Mr. Garrison believes in what he is doing. He is sincere."'

A few days later, Gurvich openly labelled the Garrison enquiry 'a hoax', and questioned the district attorney's integrity, sincerity and common sense. That gives you a measure of Gurvich's duplicity.

On June 26, Gurvich, having quit his job with the District Attorney, issued a statement urging the Orleans Parish Grand Jury to start an immediate investigation into the way Mr. Garrison had conducted his assassination enquiry.

In a telegram to the grand jury, Gurvich said he was prepared 'to give evidence of *travesties of justice* on the part of the District Attorney in the case of Louisiana vs. Clay Shaw'.

Mr. Gurvich's sudden realisation that the Garrison probe was a 'travesty of justice' after all, followed a stormy scene at the office of the District Attorney. When

Gurvich that morning appeared at the office, for a 'conference', as he said with Garrison, the latter's chief investigator, Louis Ivon, resolutely barred his way at the guard rail. Gurvich tried to push past Ivon, but was restrained.

'Have I been fired?' Gurvich asked.

'I don't know anything about that,' Ivon replied.

'May I come in?' Gurvich asked again.

'No, you can't,' was Ivon's firm reply. 'The boss wanted you to wait outside.'

Then Assistant DA James Alcock appeared on the scene and showed Gurvich to a back office. At the end of fifteen minutes, he stormed out saying 'I don't wait for anyone longer than a half hour,' and left. Later he told newsmen he had resigned 'because I could not meet with Mr. Garrison to ask him to re-evaluate the investigation and drop the charges against Clay Shaw'.

What made Gurvich suddenly so eager to have the charges against Shaw dropped? At the time Shaw was arrested, nobody was more emphatic than Gurvich in telling the press that Garrison had the evidence necessary for conviction of the accused.

And now Gurvich was telling reporters that Garrison had 'no case' against Mr. Shaw and that he (Gurvich) would support this assertion with 'specifics' if he was allowed to appear before the grand jury. He would welcome an opportunity also to appear before a Federal Grand Jury, Gurvich added, to give evidence that Garrison had 'violated the civil rights of several people—including Mr. Shaw'.

Garrison, visibly angered by this spectacular defection of a once trusted aide, fought back with a statement saying in part :

'Some months ago Mr. Gurvich, who operates a night watchman service, appeared out of the blue and offered his assistance to our investigation. After a few months, he just as quickly disappeared from view.

'One of Mr. Gurvich's increasing complaints, however, was that he felt that he was not being given enough

information about the investigation itself.

'One' of the reasons we did not give him all of our information was that we soon learned that he was having meetings with Mr. Walter Sheridan, a former federal investigator now working for the National Broadcasting Company. From that time on, Mr. Gurvich's assignments were limited to photography, chauffeuring and other technical work of a limited nature until he faded out of view about six weeks ago.'

If the District Attorney 'soon' learned that Gurvich was having meetings with Sheridan (without the NBC as yet showing its true colours), and NBC, as the above-cited statement by Gordon Novel shows, had begun its check on the Garrison investigation as early as February 1, 1967, the plausible implication is that Gurvich was a 'plant'—and most likely a CIA plant.

In another statement released at the same time, Garrison branded Gurvich's apostasy 'the latest move from the Eastern headquarters of the Establishment to attempt to discredit our investigation,' and added :

'It becomes increasingly apparent that elements of the Federal Government are absolutely desperate in their attempt to prevent the people of this country from finding out what really happened in Dallas.'

What prompted Gurvich to change sides?

To this question which the whole world was asking, Gurvich, according to Jack Nelson of the *Los Angeles Times*, answered on June 28, that 'he decided to denounce the investigation after Mr. Garrison plucked the name of his latest suspect from a letter written by a Texas woman whose husband had abandoned her and her children. She wanted help in locating him and described him as a man with a scar over his left eye.

'Garrison has always thought that a man with a scar over his left eye was a companion of Lee Harvey Oswald,' Gurvich said. 'So now this man became his suspect. It was so absurd I figured Garrison had gone completely nuts.'

Why should it be absurd? As a professional investigator

Gurvich must know that chance sometimes provides an important clue where long research has failed. If Garrison 'has always thought' that a man with a scar over his left eye was an important witness in the case, his curiosity was bound to have been aroused by the letter from that woman in *Texas*.

Men with scars over their left eyes aren't exactly legion and the number of those who also happen to be from Texas must be quite limited. If Garrison, then, puts one and one together and concludes that it makes two, he is only doing what any investigator worth his salt would do under the circumstances.

The one who is being absurd in the case surely is Gurvich, not Garrison.

Jack Nelson also reports that Walter Sheridan, after repeated talks with Gurvich 'first' arranged for the latter to meet with Senator Kennedy in *New York* on June 8 to relate his views.

Were there *two* meetings, then, between Kennedy and Gurvich—one on June 8 in New York and another one a few weeks later in Washington?

When Gurvich put forward his (truly absurd) idea of complaining to a federal grand jury about Garrison violating the 'civil rights' of Clay Shaw and his other suspects in the case—by the same token every arrested murderer, arsonist or rapist could complain that his civil rights were being violated—he said, still according to Nelson, "I imagine Bobby could arrange that" and was smiling broadly as he referred to Sen. Kennedy by his first name.'

This brings up a curious and disturbing issue.

Is Senator Robert Kennedy by any chance siding with the powers-that-be in Washington for the purpose of wrecking the Garrison investigation?

Incredible, even monstrous, as this thought must appear to anyone familiar with the real background of the Kennedy assassination, it can no longer be dismissed out of hand. For Gurvich is not alone in implying with his 'broad smile', his use of the name 'Bobby', and even

with the far-fetched suggestion that Senator Kennedy could arrange for a federal grand jury to be called to look into the 'violation' of Clay Shaw's 'civil rights' that Robert Kennedy is on the side of those who seek to defeat Garrison. The way Senator Kennedy rushed to the defence of his former aide Walter Sheridan, after the latter had been formally accused in New Orleans of trying to bribe a witness in the Garrison investigation, speaks volumes, and Strate's story referred to in the last chapter becomes doubly significant in consequence.

'I have been fortunate to know and work with Walter Sheridan for many years,' Robert Kennedy said in a statement released in Washington on July 18. 'Like all those who have known him and his work, I have the utmost confidence in his integrity, both personal and professional.'

'This view was shared by President Kennedy himself, with whom Mr. Sheridan was associated for many years in a relationship of utmost trust, confidence and affection.'

'His personal ties to President Kennedy, as well as his own integrity, ensure that he would want as much as, or more than, any other man, to ascertain the truth about the events of November 1963.'

'It is not possible that Mr. Sheridan would do anything which would in the slightest degree compromise the truth in regard to the investigation in New Orleans.'

What is one to make of this warm defence, by the brother of the slain President, of the legally and morally indefensible actions of Walter Sheridan, a man obviously committed to wrecking, by fair means or foul, the official investigation into the death of President Kennedy conducted by District Attorney Garrison?

What is Robert Kennedy's game?

That question is being increasingly asked by all those who have been pressing for establishment of the truth about the assassination. That he is not exactly a leader in this fight, as his role as head of the Kennedy clan normally would have commanded him to be, has long

been sadly apparent. But who could have imagined that Robert Kennedy would go so far as to line up openly on the side of those who seek to torpedo the search for the truth at all cost?

Robert Kennedy's attitude in the case—his initial inertia, his affirmation of Oswald's guilt in Cracow, Poland, early in 1964, his total failure to give any support to the critics of the official version, and now this clarion call in defence of Sheridan—has always been the most puzzling aspect of the Kennedy murder case. It is the only 'mystery of Dallas' that's left.

What is the explanation of this enigma?

I believe that it lies buried deep in Robert Kennedy's long and close association with the CIA. In some ways which cannot yet be clearly perceived but which I feel confident time will reveal, the CIA has a firm grip on Robert Kennedy. He is to all intents and purposes a prisoner of the criminal organisation which he himself had helped to put into a position of paramount power and which then murdered his brother, President Kennedy.

Garrison, unperturbed by Robert Kennedy's move, replied with a statement that said in part:

'Whether Mr. Sheridan—a known intimate of Sen. Robert F. Kennedy—is innocent of the crime of attempted bribery will be determined by a jury of citizens. It still remains to be determined what motives lie behind Mr. Sheridan's efforts to interfere with law enforcement in New Orleans.

'If he actually represents the interests of Sen. Kennedy, than he has been unfair to his employer, the National Broadcasting Co. If he really represents only NBC, then Sen. Kennedy should pick his associates more carefully. In either case, justice in Louisiana is our problem and not theirs.'

The combined assault on Garrison of the Sheridan-Gurvich forces also brought to the fore an old foe of the District Attorney, the 'Metropolitan Crime Commission.' On June 21, E. C. Upton Jr., president of the MCC (a

private group), and Aaron M. Kohn, its managing director, wrote to Louisiana Attorney General Jack Gremillion, asking him to launch his own investigation into the manner in which Garrison had been conducting his probe. The letter specifically cited the allegations made by Alvin Beauboeuf in *Newsweek*, as well as those of Cancler, Torres, Andrews etc. on the NBC show, as the basis for the MCC move.

Two days later, Gremillion, who had once been involved himself in a fierce battle of words with Garrison, wrote back that he had 'no authority to comply' with the MCC's request and added that he felt the Commission was asking him to 'supplant or supersede a district attorney.'

He was clearly acting under orders from the Governor, John J. McKeithen, who in a news conference on June 27 declared: 'I'm leaving matters concerning Mr. Garrison's investigation up to the state attorney general. I don't feel the situation warrants an investigation by my office.'

On June 28, all three partners in the 'Gurvich Brothers Detective Agency' were summoned to appear before the Orleans Parish Grand Jury, along with Ed Planer, news director of station WDSU-TV. MCC director Aaron Kohn also appeared to testify. Dean Andrews, too, was on hand for renewed questioning.

All day long, until late in the evening, the grand jury questioned the six men, especially William Gurvich who himself had offered to submit 'evidence' that would destroy Garrison's case against Shaw. While no details of the hearing were made public, in conformity with the law, Grand Jury foreman Albert V. La Biche, at 9.50 p.m., issued a significant statement as follows:

'The Grand Jury, in its continuing investigation of the Kennedy conspiracy case and the many charges claimed by various principals in news media, heard testimony and has concluded that as of 9.30 p.m. this date, no new evidence has been produced to confirm any of the allegations that have been made to date.'

To make clear whose allegations had been found wanting, La Biche added that the grand jury had in mind the allegations 'pertaining to the critics of Mr. Garrison's office.'

Although this wording still may seem somewhat ambiguous, it was generally understood as a slap at the Gurvich Brothers, Kohn, Andrews and Planer.

'Evidence Does Not Confirm Critics' Charges—La Biche' read the heading under which the New Orleans *Times-Picayune* reported the hearing the next morning.

Thus the most massive attempt undertaken to date in order to wreck the Garrison investigation also fell flat as had the preceding ones.

Chapter 13

Garrison Strikes Back

The Sheridan-Gurvich affair provided Garrison with opportunities for two major pronouncements on the scope and significance of his investigation. On June 26, in the context of his reply to Gurvich, from which I have already quoted some passages in the foregoing chapter, he said: '... It will be noticed that we now are experiencing two forms of counter-attack from the forces defending continued concealment. First, there is occurring a closely timed coalition of major news media and other co-operative agencies,¹ seeking to create the impression that the assassination is a closed matter and anyone who raises questions is either sinister or misguided. Second, there is a tremendous amount of economic pressure being brought to bear in the government's effort to smother our investigation.

'Of course, if the truth about President Kennedy's assassination had been brought out it would not be necessary to continue to conceal from the people hundreds of essential documents as well as other vital pieces of evidence concerning the assassination.

'A possibility that this evidence may be brought to light showing that there was a conspiracy—a fact which elements of our federal government have apparently well known all along—is behind the increasingly frantic counter-measures coming from the Washington-New York area.

'If we are so far off the track, then why is there such an organised effort being made to discredit the investigation before the trial? *If we are not in possession of facts show-*

1. This is a reference among others to a 24,000 word AP despatch, the longest in history, and a three-part C.B.S. programme both of which put the case for the Warren Commission and attacked its critics.

ing what really happened at Dallas, won't that be made perfectly plain at the trial?

Mr. Garrison here touches upon a few points of basic common sense which, in a more critical and enlightened era, would hardly need belabouring at all. But, in our time the press and public are so bedevilled by mass suggestion, official propaganda and sheer obscurantism—much of it emanating from the ‘intelligence’ agencies—that it may be necessary to hammer home these elementary truths.

Why, indeed, are hundreds of documents relating to the assassination ‘classified’ (many of them as TOP SECRET!) and thus permanently withheld from public inspection even by scholars, if the official story is true? It stands to reason that this massive effort at concealment and secrecy can have no other purpose than to hide the truth about what happened at Dallas.

How can one refute Garrison’s argument ‘If we are so far off the track, etc.’? Is it not self-evident that the organised campaign to wreck the investigation before the case goes to trial proves precisely that Garrison is on the right track? If he were not, the forces of the Establishment could simply relax, watch a befuddled district attorney take the beating of his life at the hands of an indignant jury and then gloat over his discomfiture.

But Garrison is quite right: there is an element of frenzy in the increasingly savage attacks coming out of the ‘Washington-New York area’.

Garrison, so far has refrained from naming explicitly the ‘elements of the federal government’ which are becoming ‘frantic’ and even ‘desperate’ as the truth slowly comes out, but it would take a dull mind indeed not to guess what or whom he is aiming at.

When Garrison speaks of a ‘tremendous amount of economic pressure’ that is being brought to bear in the government’s effort to smother his investigation, he means of course that any witness or investigator of his who is willing to sell out to the opposition will be regally

provided for, for life, out of the limitless shush fund available to the CIA.

Garrison made it clear that, in his opinion, Gurvich, for one, had succumbed to the 'tremendous economic pressure.'

'I do not condemn Mr. Gurvich,' he said. 'I am sorry to see that he is willing to lend himself to the transparent effort to keep hidden the truth about the assassination.'

'I presume that when he says that the members of my staff do not have a professional approach, that he means they cannot be bought. If that is the case, I am glad that they are amateurs and I am confident that they will remain that way.'

'It is because they are amateurs and because there is not enough money or power in this country to corrupt them, that we are going to work to expose the entire truth of the assassination to the people of this country.'

Words like these—plain, sober, honest words inspired by integrity and common sense—are seldom heard in America these days. It is good to hear them. They make one feel good again at being an American, after years of bowing one's head in shame and despair. If Garrison achieves nothing else, he will have accomplished something of a moral resurrection in America.

To the masterminds behind the NBC creation, their excessively abusive effort to silence Garrison proved a boomerang.

Immediately after the programme, Garrison wired a protest to the Federal Communications Commission, the official watchdog of the radio and television industry. Although the FCC is of course an agency of the federal government and therefore subject to strong pressure from it, the Commissioners could hardly have sidestepped the issue completely. They are duty-bound to see it that no broadcasting station violates its public trust, as NBC had done in this case over a nationwide network.

Realising the danger, NBC quickly moved to neutralise it. On July 5, the company offered Garrison half an hour of prime television time on July 15 to answer its 'docu-

mentary' of June 19. The offer was accepted.

Between the offer and the broadcast, a significant interlude occurred.

In an almost frantic move, Clay Shaw's attorneys, Messrs. F. Irvin Dymond, William Wegmann and Edward Wegmann, appealed to Judge Edward A. Haggerty, Jr., to prevent the District Attorney from making the scheduled television appearance.

The lawyers argued in their petition that the planned programme would directly affect the constitutional rights of their client to a fair and impartial trial. Furthermore, they said, the programme would be 'in direct contravention to, and in violation of, the guidelines heretofore issued by this court.'

Needless to say, they didn't breathe a word about how the 'fair and impartial trial' might have been affected by the NBC show of June 19, nor about the question of whether the court's guidelines had been violated by that production.

On July 12, Judge Haggerty threw out the petition as unfounded. He told the defence that the court was aware that the four sets of guidelines it had issued governing statements made in connection with the Shaw case had been repeatedly violated by persons 'including lawyers', acting at their peril, in discussing the case publicly. But, he said, he could not anticipate violation of the guidelines.

The defence request, Judge Haggerty noted, 'would require that I change the position I have consistently taken . . . this court fails to appreciate how it can anticipate a violation of orders until the violation occurs.'

The judge also reminded the lawyers that the District Attorney is bound, not only by the guidelines set by the court in this particular case, but also by 'the stringent rules and regulations of the Louisiana Bar Association and more particularly, the committee on grievances and ethics.'

So the programme went on the air and Garrison, for the first time, had an opportunity to address a nationwide

audience and to acquaint it with the true facts about the assassination and his views about the case in general.

Speaking for half an hour, in the early evening of July 15, a Saturday, Garrison declared :

'The conclusion of the Warren Report, that President Kennedy was killed by a lone assassin, is a fairy tale.'

In reality, he said, 'President Kennedy was assassinated by men who sought to obtain a radical change in our foreign policy, particularly in regard to Cuba.'

Garrison said his characterisation of the Warren Report as a 'fairy tale' did not mean that the members of the Warren Commission were aware at the time that their conclusion was totally untrue nor does it necessarily mean that they had sinister motives.

'It does mean,' he said, 'that the conclusion that no conspiracy existed and that Lee Oswald was the lone assassin is a fiction and a myth that should be brought to an end.'

He nailed one devious device the Warren Commission has constantly employed to make the implausible, even the impossible, appear likely :

'Whenever they have encountered a difficult implausibility such as the fact that Oswald was known to be a poor marksman with a rifle, whereas eight different wounds were caused in less than six seconds, they merely produce an expert to explain to you that this particular sequence of facts is really quite possible mathematically.'

Turning to the question why and how President Kennedy was murdered, Garrison delved into the historical background of the assassination.

'In the fall of 1962 the Cuban missile crisis occurred and it was followed by a pronounced new attitude toward Cuba on the part of the United States,' he said. 'Cuba was no longer regarded as an enemy and was no longer regarded as fair game, for those men who had, for one reason or another, focused their attention on this island.'

In June of 1963, Garrison went on to say, President Kennedy in a speech said the United States should try to live in peace with the Russians.

'At this point,' Garrison charged, 'some individuals transferred their hostile attentions from Fidel Castro to John Kennedy. They planned the President's assassination and they planned it well.'

Garrison said the evidence indicated that President Kennedy was shot at from two different directions and also from the right front.

'We know that shooting was coming from two separate directions in the rear because the President and Gov. Connally were hit in the back within a split second of each other—and this necessarily had to happen with two bullets coming from two different rifles,' Garrison explained.

'We know that the President was being shot at from the grassy knoll area on the right front because most of the people in Dealey Plaza heard the shots coming from there—and because at least one of the President's wounds was an entry wound from the front and because men were seen running from the grassy knoll area immediately afterwards.'

Garrison also charged that 'hundreds' of documents that could help prove that a conspiracy existed have been withheld. *Others have been burned*, he added.

'This case has more accidental fires, more burning of papers, than any murder case in history,' he declared, indicating that there had been tampering on a massive scale with the material evidence.

In keeping with the court guidelines, Garrison made no comment on the arrest and indictment of Clay Shaw, but he devoted much of his time to a sharp attack on the 'Eastern news agencies', i.e. the sources of information centred on the Washington and New York areas.

He directed heavy criticism at NBC for the glaring inaccuracies in its June 19 broadcast, in particular the misleading allegation that the network had located the true Bertrand and given his name to the United States Department of Justice, and for the Cancler affair.

It was probably the first time people outside the New Orleans area learned that the convict John Cancler, who

had played a star role on the NBC programme, had been called before the grand jury and had refused to repeat his statements under oath.

Garrison also took issue with *Newsweek* and Aynsworth's claim that his office had attempted to bribe a witness in the case. 'It later turned out that his story and their article were totally untrue,' he declared. The District Attorney revealed in this connection that the police investigators in his office had been found innocent of any wrongdoing in a special probe conducted by the police department. 'However, *Newsweek* has made virtually no mention of that,' he added. .

In his considered judgment, Garrison stated, 'There has been an effort to prejudice in advance the potential jurors in the trial of this Shaw case. As a matter of fact, the National Broadcasting Co. has already had the trial. The defendant was found innocent and the district attorney was convicted.'

He contrasted this prejudiced attitude with the record of his office :

'I have been district attorney of New Orleans for more than five years,' Garrison said, 'and we have never had a single case reversed because of improper methods on the part of my staff. Nor do we rush to judgment on half-baked evidence.'

He pointed out that the proof of that lay in the fact that in more than five years, not one defendant has been acquitted on a murder case.

'Nor have we ever lost a major case in five years,' he added.

Turning once more to the Warren Commission, Garrison said that its enquiry into the assassination started off with a completely unacceptable philosophy for a democracy.

'One of the stated objectives was to calm the fears of the people about a conspiracy,' he said. 'But in a democracy like ours, the government has no right to calm our fears about a conspiracy any more than it has, for

example, the right to excite our fears unduly about Red China or fluoridation or birth control.'

In conclusion, I should like to quote one more remark by Garrison which the fighting district attorney for obvious reasons did not include in his NBC commentary but which he had made shortly before in a different context (in a statement to the *Times-Picayune* on June 24) :

'A tremendous amount of federal power is being brought to bear on anyone connected with our investigation—whether he be witness or investigator—in an effort to continue to conceal the real truth about President Kennedy's murder. It is obvious that the official Washington attitude is that our enquiry must be stopped at all costs.

'All they are doing is proving two things. First, that we were correct when we uncovered the involvement of the Central Intelligence Agency in the assassination. Second, that *there is something very wrong today with our Government in Washington, D.C.*, inasmuch as it is willing to use massive economic power to conceal the truth from the people.

'If these *political hacks holding high federal office* think that they can stop us from bringing out the entire truth about the assassination, they are going to get the surprise of their lives.

'As far as I am concerned, there is not enough money in the United States treasury and there is not enough printer's ink in this country to keep us from developing the facts about the murder of President Kennedy.'

That is the story of Jim Garrison to date. It is the heartening story of a brave man with a keen mind who stood up to fight for the truth where millions cringed in craven surrender to an established power bent on perpetuating The Big Lie and The Big Injustice.

The Jim Garrison Story is no doubt far from finished. As time goes by, more chapters will be added to it which the reader of this book will find in the newspapers—or some of them, anyway.

Nor will the forthcoming trial of Clay Shaw constitute

the last chapter of that story, I feel sure. Regardless of the outcome of that trial, or of any other judicial sequel that may follow, Jim Garrison's work will never be undone.

The verdict of History, I feel confident, will go in his favour. And that is, after all, the only verdict that really matters.

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HAROLD WEISBERG

FOREWORD BY JAMES GARRISON

The author is perhaps the foremost living expert on what the archives of the Warren Commission contain. He has analysed and sifted thousands of documents that have never been published even in the 26 volumes of the *Hearings*. From them he has pieced together the story of what Oswald was really doing in New Orleans during that summer of 1963 that preceded the assassination. Much of James Garrison's case is believed to be based on what the author has discovered.

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Photographic Whitewash

HAROLD WEISBERG

Seldom was a murder recorded on film as extensively as the assassination of President John F. Kennedy. Innumerable amateur photographers as well as a few professionals had their sights trained on him at the instant he was killed. A number of them had cine-cameras but the only cine-film which the Commission examined was one in which the President was obscured by a road sign at the moment that the bullets struck. And other valuable photographic evidence was totally ignored or, where possible, tampered with. The author shows that the Commission knew of the existence of these photographs but deliberately refrained from examining them. His evidence is culled from the unpublished files of the Warren Commission itself. And he reproduces one photograph taken from those files which proves beyond all doubt that Oswald was innocent. It was a photograph that the Commission suppressed.

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The New Orleans District Attorney's enquiry into the assassination of President Kennedy burst into the headlines in February of this year. The world at large, following the Warren Commission, believed that Lee Harvey Oswald had been the lone assassin, that the case was closed for all time, and that the dissenting voices were those of cranks with no significant new evidence to offer. Thus the news from New Orleans took the world unawares and before long newsmen from almost every country were converging on that city. They were soon, however, feeding back reports indicating that the whole thing was some kind of hoax and within less than a month the story had almost completely died. Such stories as were printed were all slanted towards discrediting the District Attorney, James Garrison.

They were wrong.

The Garrison enquiry was anything but a hoax. The District Attorney, secure in the knowledge that he could not be removed from office, was undaunted by the opposition of both Washington and the news media. He calmly proceeded to obtain an indictment against Clay Shaw for conspiring to murder President Kennedy and as a result every conceivable effort has been made to wreck his case and discredit him personally.

This book is the story of the Garrison enquiry which the newspapers have not reported, the story of witnesses who fled for their lives and of others who lost their lives because they were not quick enough to flee. It is a story of moves and counter moves in one of the most dramatic episodes in American history, a story fraught with threats, bribes, treachery and false allegations. It is a story above all dominated by the shadowy form of the CIA whose hidden presence is manifested by the numerous lawyers in its pay who are attempting to block the enquiry.

The author has already written six books on President Kennedy's assassination (five published and one as yet, unpublishable), and thus has an almost unique insight into the real meaning of every move in the drama. This, his latest book on the subject, will hold its readers spellbound. For anyone wishing to understand the real significance of the Clay Shaw trial, it makes essential reading.